

MS (Com) – 117/2024
SRI SUSANTA KUMAR MUKHERJEE AND ANR Vs SUSANTA PAL AND 5 ORS

Present :: Ishani Chakravarty Banerjee (J.O Code.WB00890)
Judge, Commercial Court at Rajarhat
North 24 Parganas.

CNR: WBNP19-000032-2024

14
26.11.2025

1. Today is fixed for ex-parte hearing of the Suit.
2. The learned Advocate for the plaintiff appears and files an adjournment petition praying for time on the ground that the certain documents could not be arranged by the plaintiff.
2. The defendants take no steps and the instant suit proceed with the ex-parte hearing in terms of the earlier order dated 05.08.2025.
3. Heard the learned Advocate for the plaintiff. It is submitted that due some unavoidable circumstances the plaintiff is unable to certain documents as such the plaintiff prays for time.

Upon perusal of the case record, the instant Suit instituted on 06.03.2024 and since then pending for disposal, Though the instant suit proceeded with exparte hearing against the defendants and the last order was passed on 05.08.2025 and since then the plaintiff is unable to file affidavit-in-chief with certain documents which basis the instant suit be proceeded accordingly.
4. This being a commercial suit governed by the provisions of the Commercial Courts Act, 2015, repeated and unwarranted adjournments are in clear contravention of the spirit and objective of the statute, which requires expeditious and time-bound adjudication of commercial disputes.

However, considering the submission of the learned Advocate for the plaintiff, the prayer for adjournment is considered and allowed as last chance.
5. Fix **05.03.2026** for ex-parte hearing of the Suit and filing affidavit-in-chief by the plaintiff.

Sd/- Ishani Chakravarty Banerjee
Judge
Commercial Court,
Rajarhat, North 24 Parganas