

TS (Com) –97/2024

Mahendra Agarwal and Others Vs Vikash Moth and others

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

CNR: WBNP19-000070-2024

16

16.06.2026

1. Today is fixed for hearing of the injunction application and the application under Order XXXIX Rules 3 & 4 read with Section 151 of the Code of Civil Procedure, 1908.
2. The learned Advocate for the plaintiff appears and files hazira along with a handwritten application for extension, without being supported by an affidavit or e-filing, praying for extension of the ad-interim order which was in force till today. Copy not served and not on record. As the application for extension of the ad-interim order is not in proper form, this Court is unable to extend the ad-interim order at this stage on the basis of such application.
3. The learned Advocate for the defendant appears and files hazira.
4. During the course of hearing, the learned Advocates for both parties submit that they are willing to explore settlement of the disputes through mediation at this stage. It is further submitted that another matter in between the parties is pending and the parties are willing to settle the disputes in that matter too.
5. The Court, having heard the parties and being of the view that there are possibilities of settlement, directs that the parties shall attend mediation as facilitated by the Court at no cost to the parties.
6. The parties and their learned Advocates, if any, shall report before the learned Mediator on **25.06.2026 at 11:00 A.M.** If mediation cannot be concluded on the said date, the Mediation Centre / learned Mediator shall fix a further date convenient to the parties, if necessary.
7. If a settlement is reached, the terms shall be recorded by the learned Mediator and signed by the parties and/or their learned Advocates, and the same shall be forwarded to this Court for appropriate orders.
8. If no settlement is reached, neither the parties nor their learned Advocates nor the learned Mediator shall disclose anything that transpired during the mediation to this Court.

9. The fees of the learned Mediator shall be fixed at a consolidated amount in terms of Rule 26A(2) of the Mediation Rules, as amended, upon settlement of the suit through mediation.
10. Let a copy of this referral order be sent to the Mediation Centre under the **District Legal Services Authority, North 24 Parganas, Barasat** forthwith.
11. Fix **13.08.2026** for receipt of mediation report and further consideration.
12. In view of such development, this Court thinks it prudent to extend the ad-interim order of injunction till 13.08.2026.

Dictated & Corrected by me

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

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

NEXT DATE OF HEARING IN THE REFERRAL COURT 13.08.2026

Order No. 16 Date: 16.06.2026

Referral Court: JUDGE, COMMERCIAL COURT AT RAJARHAT FOR THE DISTRICTS OF NORTH 24 PARGANAS, NADIA, HOOGHLY & HOWRAH

Name of the referral learned Judge: **Ishani Chakravarty Banerjee**

CASE NO. TS (Com) – 97/2024

NAME OF THE PARTIES- Mahendra Agarwal and Others – Plaintiff

Vs

Vikash Moth and others ---- Defendants

DATE OF INSTITUTION OF THE CASE- 24.05.2024.

NATURE OF SUIT/MATTER: Suit for declaration and injunction valued at Rs. 5.5 Crores.

STAGE OF THE CASE AT TIME OF REFERRAL- Hearing of the injunction application and the application under Order XXXIX Rules 3 & 4 read with Section 151 of the CPC.

MEDIATION REFERRAL ORDER

The Court, having heard the parties and having determined that there are possibilities of settlement of the issues by mediation, orders that the parties shall attend mediation as provided by the Court at no cost to the parties.

The above parties and advocates, if any, will report to the Ld. Mediator on 25.06.2026 at 11.00 AM. If it is not possible to mediate this case on the date fixed, the Mediation Centre/Ld. Mediator will arrange a future date for mediation convenient to the parties, if necessary.

If a settlement agreeable to the parties is reached, the terms shall be recorded by the Ld. Mediator and signed by the parties/their counsel and returned to this Court for further appropriate orders.

If no settlement is reached, neither the parties, the advocates, nor the Ld. Mediator may disclose to this Court anything that was discussed at the mediation.

Having regard to the nature of the case, the fees of the Ld. Mediator be fixed at a consolidated amount in terms of Rule 26A(2) of the existing Mediation rules, as amended, on settlement of the case through mediation.

Signature of the Referral Judge with date:

Sign. of Plaintiff/Complainant/Advocate

Phone no./email of party_____

(if available)

Name of the Advocate _____

Sign. of Respondent/Accused/Advocate

Phone no./email of party_____

(if available)

Name of the Advocate _____

Phone no./email of the Advocate _____ Phone no. of the advocate _____