

Present: Sri Srikumar Goswami
Judge, Commercial Court at Alipore.
Money Suit 10/2019

Order no. 2
19.08.2019

In the matter of :
Recovery of money
amounting to Rs.
24,72,00,000/-.

And

In the matter of :
Bengal Industrial
Infrastructure Pvt. Ltd.

Vs.

In the matter of :
Pradeep Kumar Kasliwal &
27 ors.

Today is fixed for appearance and further order.

The Plaintiff and Defendant no. 1 file hazira through their Lawyers.

An application under Order XXXIX Rule X as filed by the Petitioner/Plaintiff is on the record for hearing. But it appears from the record that as no service of summons upon the Defendant nos. 2 to 28 has been served alongwith the copy of the plaint and the Ld. Previous Court vide its Order dated 12.04.2019 had directed the Plaintiff to take steps.

Today, some track consignment and postal receipt have been filed on behalf of the Plaintiff but the same was without affidavit and without compliance of the provision of Code of Civil Procedure for presumption of service of notice under the provision of General Clauses Act as the affidavit which has been submitted on behalf of the Plaintiff was dated 25.09.2018 and the order of the Ld. Previous Court has been passed on 12.04.2019.

In such situation and circumstance, the Plaintiff is directed to again take steps for service of summons and an application under Order

XXXIX Rule X CPC within 48 hours by Registered Post with A/D and to submit the same within 4 days with supporting affidavit of compliance.

Fix **28.08.2019** at 10.30 a.m. for affidavit of service and for further order.

Let a plain copy of this order be supplied to both parties upon applications by them.

Dictated and corrected by me,

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore
and Paschim Midnapore.

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore
and Paschim Midnapore.