

Present: Sri Suparna Ray (JO Code: WB00711)
Judge, Commercial Court at Alipore
T.S. (Com) 48 of 2023
CNR no. WBSP18-000041-2023

Order No. 40
29.03.2025

In the matter of:

Suit for recovery of possession and mesne profit valued at Rs. 171,80,41,276/- and for injunction at Rs. 100/-.

And

In the matter of:

Mani Square Limited.

Vs.

Shri Subhash Kumar and
04 Ors.

ORDER

Today is fixed for further hearing of I.A. No. 26 of 2024.

Both sides file their respective haziras.

Plaintiff files an application praying for time to take necessary steps in view of the Order dated 27.03.2025 passed by the Hon'ble High Court at Calcutta in connection with ALP No. 2 of 2025. Along with the instant application, plaintiff also files the copy of the aforesaid order of the Hon'ble Court.

Heard the Learned Advocates for sides and also carefully perused the Order dated 27.03.2025.

It appears from the aforesaid order of the Hon'ble Court that in the said ALP No. 2 of 2025, the petitioner herein being the one of the petitioners therein prayed for transfer of two pending suits being the instant suit and another one is the Title Suit No. 469 of 2023 as pending before the Learned 4th Civil Judge (Senior Division) to the Hon'ble Court. The Hon'ble Court was pleased to dispose of the said ALP No. 2 of 2025 and observed as follows:

“23. Accordingly, Title Suit No. 469 of 2023 pending in the file of the learned Civil Judge (Senior Division) 4th Court, Alipore is hereby withdrawn and transferred to the Court/file of the Commercial Court at Alipore, 24 Parganas(S).

*24. Keeping in mind all the factors as stated and above all, for the purpose of justice, the Commercial Court at Alipore is directed to hear the Commercial Suit being No. 48 of 2023 along with Title Suit No. 469 of 2023 transferred from the Court of learned 4th Civil Judge (Senior Division) at Alipore, by making all endeavour to conduct day to day hearing, without granting unnecessary adjournments, and disposed of the **two suits to be heard analogously**, preferably within a period of six months from the date of transfer of records as directed.*

25. The Learned District Judge, at Alipore is directed to ensure the transfer of records in Title Suit No. 469 of 2023 from the court of learned 4th Civil Judge (Senior Division) at Alipore to the Commercial Court at Alipore within 15 days from the date of this order.”

It is stated that till date this Court has not yet been received the case records corresponding with the Title Suit No. 469 of 2023.

In view of the above context, Ld. Advocate for the plaintiff prays for time to take necessary steps.

Accordingly, fix the matter on **10.04.2025 at 11:45 a.m.** for awaiting the case record being the Title Suit No. 469 of 2023 and also for further order.

Parties to act on the basis of the downloaded copy of this Order.

Dictated and corrected by me

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram

Sd/-

Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram