

Present: Sri Dev Kumar Sukul (JO Code: WB00766)
Judge, Commercial Court at Alipore
Money Suit 20 of 2022
CNR No: WBSP18-000064-2022

Order No. 05
24.08.2022

In the matter of :
Suit for recovery of
money valued at
Rs.13,82,04,932/-.
And
In the matter of :
Grandeur Infratech Pvt.
Ltd.
Vs.
In the matter of :
LTB Infra Consultants Pvt.
Ltd. & 04 ors.

ORDERED

Today is fixed for hearing of the show cause application being I.A. no. 04/2022 and also for filing objection by the Defendants, if any to the application under Order XXXVIII Rule 5 read with Section 151 of CPC being I.A. No. 02 of 2022 and under Order XXXVIII Rule 5 Read with section 151 of CPC 03/2022 and also for appearance of the Defendants and for filing objection by the Defendants, if any to the application under Order XXXVIII Rule 5 read with Section 151 of CPC being I.A. No. 02 of 2022 and under Order XXXVIII Rule 5 Read with section 151 of CPC 03/2022.

Defendant no. 3 files hazira.

The matter was fixed today at 11:30 a.m. it is 11:45 a.m. but, the Plaintiff is found without step.

*Today, Ld. Counsel on behalf of the Defendant no. 3 files an interlocutory application under Order VII Rule 11 of Code of Civil Procedure, 1908, which is registered as I. A no. **05 of 2022**. Copy is not served upon the other side.*

Ld. Counsel on behalf of the Defendant no. 3 also files written objection in respect of I.A. No. 03 of 2022 under Order XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure, 1908. Copy of the same is not served upon the other side.

Ld. Counsel on behalf of the Defendant no. 3 files a fresh vokalatmana. Let the same be kept on record.

As per the previous Order as passed by this Court, Defendant no. 3 does not file any objection in respect of interlocutory application registered as I.A. No. 02 of 2022.

Defendant no. 3 files a petition praying for time to file objection in respect of interlocutory application being no. 02 of 2022 as the copy of the same has not yet been served upon them by the Plaintiff.

Heard.

Plaintiff is directed to serve the copy of the interlocutory application being no. 02 of 2022 under Order XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure, 1908 along with legible copies of all annexures annexed with the plaint upon the Defendant no. 3 within 48 hours and to file proof of service on the next date i.e. **29th September, 2022 at 01:00 noon.**

Defendant no. 3 is also directed to serve the copy of the objection in respect of I.A. No. 03 of 2022 under Order XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure, 1908 and also the copy of interlocutory application under Order VII Rule 11 of Code of Civil Procedure, 1908, which is registered as **05 of 2022** upon the Plaintiff within 48 hours and to file proof of service on the next date i.e. **29th September, 2022 at 01:00 noon.**

Ld. Counsel on behalf of the Defendant no. 3 verbally states today that they will not file any objection in respect of show cause application being I.A. No. 04 of 2022.

To date for hearing of the show cause application being **I.A. no. 04/2022** and also for filing objection by the Defendants, if any, to the application under Order XXXVIII Rule 5 read with Section 151 of CPC being **I.A. No. 02 of 2022.**

To date also for filing written objection to the application under Order VII Rule 11 of Code of Civil Procedure, 1908, being I. A no. **05 of 2022** by the Plaintiff and rejoinder against the written objection in respect of I.A. No. 03 of 2022 under Order XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure, 1908.

Both parties are to act on the basis of the downloaded copy of the Order Sheet from the website / E-court App.

Dictated & corrected by me,


Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE


Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE

Later,

At 12:30 P.M. Plaintiff affidavit of service showing the service of the copy of all annexures regarding the Money Suit to the Defendant no. 3 along with the application under order XXXVIII Rule 5 read with section 151 of the Code of Civil Procedure, 1908 being I.A. No. 03 of 2022 and show cause application being I.A. No. 04 of 2022 along with forwarding letter to the order Defendants by Speed Post on 20.07.2022.

Let the same be kept on record.

Both parties are to act on the basis of the downloaded copy of the Order Sheet from the website / E-court App.

Dictated & corrected by me,



Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE



Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

JUDGE
COMMERCIAL COURT AT ALIPORE