

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. 08
05.01.2023

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 filing rejoinder by the Plaintiff, if any, to the application under Order XXXVIII Rule 5 read with Section 151 of CPC being I.A. No. 02 of 2022 and 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.

Today is also fixed for payment of cost by the Plaintiff, for filing written objection to the acceptance petition being I. A no. 07/2022 by the Plaintiff and also for appearance of the remaining Defendants.

Plaintiff and Defendant no. 3 file haziras.

In terms of order dated 22.11.2022, Defendant no. 3 serves copies of written statement along with acceptance petition and also written objection to the application under order 38 Rule 5 being I. A no. 2/2022 upon the Plaintiff.

Plaintiff further files cost receipt by Defendant no. 3 in terms of order dated 29.09.2022 by way of firisty. Let it be kept with the record.

Plaintiff further files written objection to the application under Order VII Rule 11 of Code of Civil Procedure, 1908, being I. A no. 05 of 2022. Copy served and objected to.

Plaintiff also files an affidavit of service alongwith Email copy relating to service of copy of Annexure-P10 (pages 39-47) of the plaint upon the Defendant no. 3.

However, in compliance to order dated 22.11.2022, Plaintiff does not file legible copy of the said Annexure-P10 (pages 39-47) of the plaint before this Court.

Accordingly, Plaintiff is further directed to furnish the legible copy of the said Annexure-P-10 (Pages-39-47) of the plaint before this Court on the next date fixed positively.

Ld. Counsel for the Plaintiff verbally submitted that he does not intend to file rejoinder to I.A. no. 03/2022.

Plaintiff also files an application praying for adjournment on the grounds stated therein.

Heard. Considered and prayer is allowed.

At this stage, from the record, I find that the application praying for leave under Section 12A of the Commercial Courts Act, 2015 being I.A. no. 01/2022 has not yet been disposed off till date. Hence, the said application should be disposed off first before proceeding with the instant suit.

Fix **04.03.2023 at 12.30 p.m.** for hearing of the application praying for leave under Section 12A of the Commercial Courts Act, 2015 being I.A. no. 01/2022 in presence of both sides.

To date for filing rejoinder by the Plaintiff, 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 rejoinder by the Defendant no. 3 if any, to the application under Order VII Rule 11 of Code of Civil Procedure, 1908, being I. A no. **05 of 2022** by the Plaintiff.

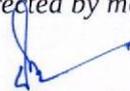
To date also for filing written objection to the acceptance petition being **I. A no. 07/2022** by the Plaintiff.

To date also for appearance of the remaining Defendants.

Written Statement within statutory period.

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