

Judge, Commercial Court at Alipore (in-charge).

Money Suit 22/2022

CNR no. WBSP18-000071-2022

Order no. 1
30.05.2022

In the matter of :
Suit for recovery of money
and damages valued at
Rs. 1,95,01,095.89p.

And

In the matter of :
Messers. Navayuga
Engineering Company Ltd.

Vs.

In the matter of :
Messers. National Trailer
Transport Company.

Plaintiff files a suit for recovery of money and declaration valued at Rs. 2,53,46,146/-, alongwith Vokatnama and Court Fee of Rs.100/- only, which is insufficient.

However, no order from the competent authority showing due compliance of mandatory provision of pre-institution mediation under Section 12A of the Commercial Courts Act, 2015 has been enclosed.

Further, no separate application praying for leave under Section 12A of the Commercial Courts Act, 2015 has also been filed alongwith other urgent applications if any.

Accordingly, Plaintiff is hereby directed to file the necessary order and/or application for due compliance of Section 12A of the Commercial Courts Act, 2015 within the next date fixed positively.

Let the application be tentatively registered as Money Suit.

Note in the register.

I.A. no. 01/2022

At this stage, Plaintiff further files another application praying for time to file the DCF of Rs.49,900/- on the ground of non-availability of requisite Court Fees due to Summer Vacation. Let the same be registered as **I.A. no. 01/2022**.

Ld. PO is on leave.

Ld. ADJ, FTC-I, Alipore is in charge.

The instant application is taken up for hearing.

Heard.

Perused and considered the instant application.

Considering the submission of the Ld. Counsel for the Plaintiff regarding expiring of limitation period, the Plaintiff is hereby directed to file requisite Court Fee of Rs. 49,900/- positively **within 02.06.2022 at 12.30 p.m.** and only on payment of such amount, any other application shall be entertained.

Accordingly, the instant I.A. no. 01/2022 is disposed off accordingly.

No process fee or requisites are also filed by the Plaintiff.

Accordingly, Plaintiff is directed to file the said Process Fee alongwith requisites positively by the next date fixed after payment of the requisite DCF.

Dictated and corrected by me,

Sd/-

Judge, Commercial Court at Alipore(i/c),
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram

Sd/-

Judge, Commercial Court at Alipore(i/c),
For South 24 Parganas, Purba Midnapore,
Paschim Midnapore & Jhargram