

Present: Sri Utpal Misra (JO Code:WB00659)
Judge, Commercial Court at Alipore
Money Suit 22 of 2022
WBSP18-000071-2022

Order No. 11
24.03.2023

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 Ltd.
Vs.

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

O R D E R E D

Today is fixed for hearing of the application under Section 12A of the Commercial Court Act, 2015 being I.A. No. 02 of 2022 and also for filing objection to the application under Order XXXIX Rules 1 and 2 read with Section 151 of CPC being I.A. No. 03 of 2022

Both parties file their haziras.

Plaintiff files affidavit of service in compliance of the order dated 02.12.2022. Let it be kept with the record.

Plaintiff also files a petition praying for adjournment on the ground of Ld. Senior Counsel. Copy served.

Heard , Considered and prayer is allowed.

Defendant files written objection against the application under Order XXXIX Rules 1 and 2 read with Section 151 of CPC being I.A. No. 03 of 2022. Copy not served.

Defendant is directed to serve the copy of the written objection upon the Plaintiff in the meantime by way of any acceptable mode of service and to file proof of service on the next date.

Original documents have not yet been filed by the Defendant.

However, since an application under Section 12A of the Commercial Court Act, 2015 being I.A. No. 02 of 2022 is pending

before this Court , hence, all other applications being I.A. nos. 03/2022 & 04/2022 shall be adjudicated after disposal of the said I.A. no. 02/2022.

*Fix on **15.05.2023 at 12:00 noon.** for hearing of the application under Section 12A of the Commercial Court Act, 2015 being I.A. No. 02 of 2022 .*

***To date** also for filing rejoinder of the application under Order XXXIX Rules 1 and 2 read with Section 151 of CPC being I.A. No. 03 of 2022.*

***To date** also for filing original documents by the Defendant.*

Both parties are to act on the basis of the downloaded copy of the ordersheet from the Web-site / Ecourts-app.

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*