

Present: Sri Dev Kumar Sukul (JO Code WB00766)
Judge, Commercial Court at Alipore
Title Suit 20 of 2021
CNR no. WBSP18-000077-2021

Order No. 53
19.01.2023

In the matter of :
Suit for Declaration , recovery of
possession with claim of money
and damages with permanent
injunction valued at
Rs.4,00,10,000/-

And

In the matter of :
Sri Ashis Bhuniya and anr. (1)

Vs.

In the matter of :
Sri Bishnupada Mandal and 24
ors.

ORDERED

Today is fixed for filing written notes of argument by both parties in connection with the application under Order XXXIX Rules 1 & 2 CPC being I.A. no. 01/2021 as well as the application under Order XXXIX Rule 4 being I.A. no. 10/2021.

Ld. Advocate on behalf of the Plaintiffs file hazira.

Defendant no. 24 files hazira.

Defendants no. 1 to 23 except 2 & 15 also files hazira.

Defendants do not file any additional written statement and additional written objection.

Liberty shall also be given to the Defendants, to file additional written statement and if any.

Liberty shall also be given to the Defendants, to file additional written objection if any.

Defendant no. 24 files an application submitting that they have preferred a Civil Revisional Application challenging the order dated 22.12.2022 before the Hon'ble High Court at Calcutta on 11.01.2023 and prays for adjournment on the said ground. Ld. Counsel for the Defendant no. 24 also annexed copy of the Daily Causelist of the Hon'ble Court for 16.01.2023 as well as an Advocate's Letter in support of such contention.

However, it is also pertinent to note here that the Hon'ble Court vide order dated 27.09.2022 in C.O. no. 3060 of 2022 has been pleased to direct expeditious disposal of the injunction application alongwith the application under Order 39

Rule 4 CPC as well as the application under Order 40 Rule 1 CPC without granting any unnecessary adjournment barring extremely unavoidable circumstances.

Until and unless there is any stay of the above direction, this Court is bound to follow the same and accordingly, the application for adjournment on behalf of the Defendant no. 24 is hereby considered and rejected.

It also appears from the record that on 14.03.2022, Plaintiff has already filed written notes of argument to I.A. no. 01/2021 whereas the appearing Defendants filed respective written notes of argument in connection with I.A. nos. 01/2021 & 10/2021 on 21.03.2022 and Plaintiff also filed supplementary written notes on 25.03.2022.

Hence, **to date (02.02.2023 at 11.45 a.m.)** for hearing on behalf of the Plaintiffs in connection with I.A. no. 01/2021.

I.A. no. 39/2023

At this stage, Plaintiff files another application supported by an affidavit praying for extension of the ad-interim order of injunction dated 03.09.2021. Let the same be registered as **I.A. no. 39/2023.**

Considered and prayer is allowed.


Let the ad-interim order of injunction dated 03.09.2021 be extended till the next date fixed.

Accordingly, the instant I.A. is also disposed off.


Written statement within statutory period.

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

Present: Sri Dev Kumar Sukul (JO Code WB00766)

Judge, Commercial Court at Alipore

Misc Case 01 of 2022

(Arising out T.S. 20 of 2021)

WBSP18-000013-2022

Order No. 54

19.01.2023

Today is fixed for filing rejoinder to the objection if any, to the instant application.

Defendant no. 24 files hazira.

Defendants no. 1 to 23 except 2 & 15 also files hazira.

Petitioners file an application for adjournment on the grounds stated therein.


Copy served.

Heard. Considered and prayer is allowed.


Fix (02.02.2023 at 11.45 a.m.) for filing rejoinder to the objection if any, to the instant application.

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