

**Present: Sri Srikumar Goswami(JO code WB00714)**  
**Judge, Commercial Court at Alipore**  
**Title Suit 20 of 2021**  
**CNR no. WBSP18-000077-2021**

Order No. 09  
28.01.2022

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 hearing of the applications under section XXXIX rule 1 & 2 CPC and Under Order XXXIX Rule 4 CPC by the Plaintiff and also for filing preliminary written notes of arguments by both sides and further for appearance of the Defendant No. 2,8,9,10,15 & 17.*

*Plaintiffs file hazira.*

*Defendant no. 24 files an application via Email for adjournment on the ground of death of his father. Copy served through Whatsapp.*

*Others Defendants do not take steps.*

*Plaintiffs further file an application praying to take up the petition under Order VI Rule 17 read with Section 151 CPC for amendment of plaint as filed by them on 18.11.2021 being I.A. no. 12/2021 as well as the petition under Section 151 CPC dated 18.11.2021 for amendment of the injunction application being I.A. no. 13/2021 before taking up the hearing of any other pending interlocutory application.*

*Prayer is considered and allowed.*

**I.A. nos. 12/2021 & 13/2021**

*Accordingly, the schedule as fixed vide order dated 17.12.2021 is hereby modified to the following effect:*

*Fix 14.02.2021 at 11 a.m. for hearing of the application under Order VI Rule 17 read with Section 151 CPC for amendment of plaint as filed by*

them on 18.11.2021 being I.A. no. 12/2021 as well as the petition under Section 151 CPC dated 18.11.2021 for amendment of the injunction application being I.A. no. 13/2021.

**To date** for fixing fresh schedule of case management hearing in connection with I.A. nos. 01/2021 & 10/2021.

Other interlocutory applications will be heard after completion of the above proceedings.

**To date** for appearance of the Defendant No. 2,8,9,10,15 & 17.

**Written statement** within statutory period.

**I.A. no. 16/2022**

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. 16/2022**.

Considered and prayer is allowed.

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

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

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,

Sd/-

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

Sd/-

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