

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

Order No. 11  
14.02.2022

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 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.hearing of the applications under section XXXIX rule 1 & 2 CPC and Under Order XXXIX Rule 4 CPC by the Plaintiff, for fixing fresh schedule of case management hearing in connection with I.A. nos. 01/2021 & 10/2021 and further for appearance of the Defendant No. 2,8,9,10,15 & 17.

Plaintiffs file hazira.

Defendant no. 24 files hazira.

Defendants no. 1, 3 to 7, 11 to 14, 16 & 18 to 23 files an application for adjournment on the grounds of personal conveniences. Copy served and objected to.

Prayer is considered and refused.

Others Defendants do not take steps.

**I.A. no. 12/2021**

At this stage, the instant application as filed by the Plaintiffs is taken up for hearing.

Heard both sides.

JUDGE  
COMMERCIAL COURT AT ALIPORE

*Perused and considered the instant application and objection, if any.*

***In my considered opinion, since the said proposed amendments in the relevant portions of the plaint do not change the nature and character of the instant suit, let the said proposed amendments as per schedule of the the instant application be allowed.***

***Plaintiffs are directed to submit the amended plaint by the next date fixed positively.***

***Liberty shall also be given to the Defendants, to file amended written statement if any.***

*The instant I.A. is also disposed off.*

**I.A. no. 13/2021**

*At this stage, the instant application as filed by the Plaintiffs is taken up for hearing.*

*Heard both sides.*

*Perused and considered the instant application and objection, if any.*

***In my considered opinion, since the said proposed amendments in the relevant portions of the injunction application under Order XXXIX Rules 1 & 2 read with Section 151 CPC being I.A. no. 01/2021 do not change the nature and character of the said application, let the said proposed amendments as per schedule of the the instant application be allowed.***

***Plaintiffs are directed to submit the amended injunction application under Order XXXIX Rules 1 & 2 read with Section 151 CPC by the next date fixed positively.***

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

*The instant I.A. is also disposed off.*

**I.A. nos. 01/2021 & 10/2021**

*The following schedule is fixed for hearing of instant I.A.s:*

1. **14.03.2022 & 16.03.2022 at 11.30 a.m.** for hearing of the application under Order XXXIX Rules 1 & 2 read with Section 151 CPC being I.A. no. 01/2021 by the Plaintiffs/Petitioners and also for

for hearing of the application under Order XXXIX Rule 4 CPC being I.A. no. 10/2021 by the Defendants/Petitioners.

**To date** for filing written notes of argument by both sides.

2. **17.03.2022 & 21.03.2022 at 11.30 a.m.** for hearing of the application under Order XXXIX Rules 1 & 2 read with Section 151 CPC being I.A. no. 01/2021 by the Defendants/Respondents and also for for hearing of the application under Order XXXIX Rule 4 CPC being I.A. no. 10/2021 by the Plaintiffs/Respondents.
3. **22.03.2022 at 11.30 a.m.** for reply if any, to the application under Order XXXIX Rules 1 & 2 read with Section 151 CPC being I.A. no. 01/2021 by the Plaintiffs/Petitioners and also for reply if any, to the application under Order XXXIX Rule 4 CPC being I.A. no. 10/2021 by the Defendants/Petitioners.
4. **25.03.2022 at 1 p.m.** for filing supplementary written notes of argument by both sides.

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

It appears from the record that the Plaintiffs have not yet collected the draft notices approved by this Court on 17.12.2021.

Accordingly, the Plaintiffs are further directed to collect the above approved draft notices positively by the next date fixed for paper publication.

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

**Written statement** within statutory period.

**I.A. no. 17/2022**

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. 17/2022.**

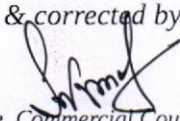
Considered and prayer is allowed.

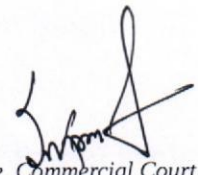
Let the ad-interim order of injunction dated 03.09.2021 be extended till next date fixed.

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,

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

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

JUDGE  
COMMERCIAL COURT AT ALIPORE

**Present: Sri Srikumar Goswami (JO Code: WB00714)**

**Judge, Commercial Court at Alipore**

**Misc Case 01 of 2022**

**(Arising out T.S. 20 of 2021)**

**WBSP18-000013-2022**

Order No. 12

14.02.2022

Today is fixed for hearing on admission of the case.

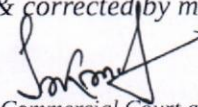
Heard.

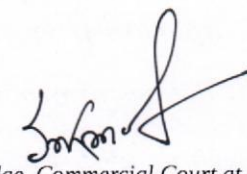
Let the matter be hereby admitted.

Fix **14.03.2022 at 11.30 a.m** for filing affidavit-in-opposition 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

  
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