

Present: Sri Srikumar Goswami (JO Code: WB00714)
Judge, Commercial Court at Alipore
Money Suit 33/2019
(CNR no.WBSP18-000088-2019)

Order no. 52
10.05.2022

*In the matter of :
Suit for recovery of
money valued at
Rs.18,05,85,144/-*

And

*In the matter of :
Intellisys Technologies &
Research Pvt. Ltd.*

Vs.

*In the matter of :
Techno Teaching Info
Solutions Pvt. Ltd.*

ORDERED

I.A. no. 03/2022

- 1. Today is fixed for hearing of the application under Order 14 Rule 2 CPC being I.A. no. 03/2022 and the application for postponing of case management hearing and also for hearing the said application and also for inspection of documents by both sides and for filing affidavit of admission and denial of documents by both sides and also for hearing on the point of merit and framing of issues.*
- 2. Both sides file their respective haziras.*
- 3. I have heard both sides.*
- 4. Perused and considered the instant application as well as the written objection.*
- 5. Upon consideration of the submissions of both sides, at this stage, I am of the opinion that if seporate issue is framed, then this Court*

shall have to take evidence and only then, would be able to come to a conclusion regarding the said issue after scanning of evidence, which would cause delay in disposal of the instant suit.

6. Accordingly, in my considered opinion, at the time of trial, a separate issue shall be framed "Whether the counterclaim as framed by the Defendant is barred by limitation" and after taking evidence, such point would be decided by this Court on merits.

7. Hence, the instant I.A. no. 03/2022 is hereby disposed off as being rejected.

8. Fix:

a) 16.05.2022 at 2 p.m. for inspection of documents by both sides.

b) 19.05.2022 at 1 p.m. for filing admission and denial of documents by both sides, hearing on the point of merit and framing of issues.

9. Both sides are to act on the basis of the downloaded copy of the ordersheet from the Website / 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**