

Present: Smt Suparna Ray (JO Code:WB00711)
Judge, Commercial Court at Alipore
Money Suit No. 19/2023
Renumbered as MS (Com) 104 of 2023
Old Money Suit No. 16 of 2016
CNR No. WBSP18-000108-2023

Order No. 13

Date: 02.05.2025

In the matter of:

Suit for recovery of money valued at Rs. 47,06,960/- and damages assessed at Rs. 20,00,000/-

AND

In the matter of:

Medica Hospitals Pvt. Ltd.

Vs.

Spirit Air Pvt. Ltd.

Order

Today is fixed for hearing of an application being I.A. no. 01 of 2025 and also for filing written objection to the said application, if any, in the meantime.

Both sides file their respective haziras.

Now, the application being I.A. no. 01 of 2025 is taken up for hearing.

No objection is filed by the defendant.

The application being I.A. no. 01 of 2025 has been filed by the plaintiff under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908 (hereinafter referred to as the "CPC") praying for amendment in the cause title of the suit.

The case of the plaintiff in the instant application is that the name of the plaintiff company has been changed from "Medica Hospitals Private Limited" to "Manipal Hospitals Eastern India Private Limited", therefore, in view of such effect, the plaintiff seeks for amendment in the name of the plaintiff in the cause title of the suit. A copy of the certificate of incorporation dated 27th November, 2024 pursuant to change of name is annexed with the instant application.

The defendant put forth no any objection.

Heard the Ld. Counsels and also perused the materials on record.

Considering the aforesaid, it is, therefore, viewed that the amended as sought for in the instant application is formal in nature and will not change the nature and character of the instant suit.

Hence, the instant application being I.A. no. 01 of 2025 is hereby allowed on contest with a direction to the plaintiff to make necessary

amendment in the cause title of the plaint in accordance with the particulars as stated in the paragraph no. 16 of the instant application and also file an amended copy of the plaint on the next date as fixed hereunder.

The plaintiff is further directed to serve a copy of the said amended plaint upon the defendant before filing the same to the Court.

Liberty is hereby granted to the defendant to file the amended written statement, if any.

D.A. to do needful.

Accordingly, the I.A. no. 01 of 2025 is hereby disposed of.

Fix the matter on 17th May, 2025 at 10:40 a.m. for filing the amended copy of the plaint by the plaintiff.

Parties to act forthwith on the basis of the downloaded copy of this Order.

Dictated and corrected by me

Sd/-
Judge, Commercial Court at Alipore,
For South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

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