

Present: Sri Utpal Misra (JO Code:WB00659)
Judge, Commercial Court at Alipore
Title Suit 22 of 2022
CNR no. WBSP18-000185-2022

Order No. 14
11.10.2023

In the matter of:
Suit for recovery of
possession, damages and
mesne profits valued at
Rs.11,31,30,000/-.

And

In the matter of:
Macneill Properties LLP
Vs.

In the matter of:
Orient Beverages Ltd. &
ors.

ORDERED

Today is fixed for filing written notes of argument to the application being I.A. No. 04/2023, I.A No. 06/2023, I.A No. 10/2023 and I.A No. 9/2023 by the parties who have not file the same yet.

Plaintiff, Defendant Nos. 2 to 5, 6, 8 file their respective haziras.

By virtue of the very previous direction of this Court Plaintiff file written notes of argument. Copy served

Defendant no. 18 instead of filing written notes of argument, files a petition praying for time to file written notes of argument.

Heard , considered and prayer is allowed.

Defendant No. 2 to 5 file an application under order VII Rule 11 read with section 11 read with section 151 of the CPC. Copy served. The said application be registered as **I.A no. 23/2023**.

Plaintiff has filed an application for substitution of the Defendant No. 19 . The said application be registered as **I.A no. 22/2023**. Let it be kept with the record.

Defendant No. 18 filed a petition for rectification of the order dated 08.09.2023. Copy served.

Heard.

On perusal of the order dated 08.09.2023, it appears that there are some inadvertent typographical errors and accordingly, the said order is modified as follows:

That the portion “**...Defendant No. 8 files affidavit – in – reply against the affidavit – in – opposition to the application under**

Order XXXIX Rule 4 CPC being I.A. No. 9/2023. ... is hereby modified as follows:

“..Defendant No. 18 files affidavit – in – reply against the affidavit – in – opposition to the application under Order XXXIX Rule 4 CPC being I.A. No. 9/2023. ...”

Accordingly the instant petition thus disposed off.

Due to intervention of puja vacation, 2023 fix **06.12.2023 at 11:30 a.m.** for filing written notes of argument to the application being I.A. No. 04/2023, I.A No. 06/2023, I.A No. 10/2023 and I.A No. 9/2023 by the parties who have not file the same yet.

All the parties are, who have already filed the written notes of argument or are intended to file the same, directed to exchange the copy of their respective written notes of argument among themselves, if not do it.

To date for filing objection by the Plaintiff to the application under order VII Rule 11 read with section 11 read with section 151 of the CPC being **I.A no. 23/2023** filed by the Defendant No 2 to 5.

To date for S/R appearance of the remaining Defendants.

I.A. No. 21/2023

Plaintiff files an application praying for extension of ad-interim order of injunction dated 02.01.2023. Let the same be registered as **I.A. no. 21/2023**.

Prayer is considered and allowed.

Let the order of ad-interim injunction is extended till next date fixed.

Let the I.A. No. 21/2023 be disposed off.

Parties to act on the basis of the downloaded copy of this order from the Website/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