Co.Pet. 10/2015
BEFORE HON’BLE MR JUSTICE KALYAN RAI SURANA

Heard Mr. M. Sharma, learned counsel for the petitioner. Also heard Mr. D. Barua h, learned counsel for the respondent.

Learned counsel for the petitioner submits that he has prepared the affidavit in reply against the affidavit-in-opposition filed by the respondent and the same has been sent to the Kolkata office of the petitioner for signature and, as such , prays for one week’s time to file the same.

Mr. Baruah, learned counsel for the respondent vehemently opposed to the grant o f adjournment for the purpose of filing the affidavit in reply. He submits that his affidavit-in-opposition was filed on 22.04.2016 and almost nine months has p assed and therefore, owing to delay, the petitioner have no right to file their affidavit in reply and prays for continue with the matter in the admission heari ng.

This Court is of the view that as in the present revision, the petitioner had pr ojected that the respondent- Company had failed to satisfy the demand of Rs. 2,5 5,67,902.31 along with interest @ 18% per annum from 24.11.2008, an opportuni ty is required to be granted to the petitioner to file their affidavit in reply within the stipulated time of seven days from today.

Accordingly, the prayer for adjournment is allowed, directing the petitioner to file their affidavit in reply within a period of seven days.

List the matter on 17.02.2017 in the admission column.