

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

[Commercial Division]

CS-COM/1/2024
IA No. GA-COM/1/2024

KONSORTIA PROJECT PRIVATE LIMITED
-VS-
MOHIT LAL SEAL AND OTHERS

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: January 3, 2024.

Appearance:

Mr. K. Thaker, Adv.
Mr. Chayan Gupta, Adv.
Mr. Ritwik Chowdhury, Adv.
Mr. Dwip Raj Basu, Adv.
...for the petitioner

Mr. Surojit Nath Mitra, Sr. Adv.
Mr. Sudarshan Roy, Adv.
Mr. Deep Narayan Mukherjee, Adv.
Mr. Debayan Ghosh, Adv.
...for the respondent nos. 1 to 9

Mr. Abir Lal chakraborty, Adv.
Mr. Sk. Poddar, Adv.
...for the defendant nos. 10 and 11

The Court: The plaintiff has filed the present suit praying for declaration that the defendant nos. 1 and 2 to 9 and each of them are in breach of the development agreement dated 27th October, 2023 as well as perpetual injunction restraining the defendant nos.1 and 2 to 9 from acting in breach of the development agreement dated 27th October, 2023 and like prayers.

The plaintiff has prayed for leave to file the suit without going for the pre-institution mediation and have pleaded the extreme urgency to file the suit for grant of interim injunction.

Considered the prayers made by the counsel for the plaintiff and the pleadings and the documents.

Leave is granted under Section 12A of the Commercial Courts Act, 2015 and Clause 12 of the Letters Patent 1865.

Let the injunction application be listed tomorrow i.e. on 4th January, 2024.

(KRISHNA RAO, J.)