

OCD-3

ORDER SHEET

IA No.GA-COM 6 of 2024
In
CS-COM 1 of 2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
(COMMERCIAL DIVISION)

KONSORTIA PROJECT PRIVATE LIMITED
VS.
MOHIT LAL SEAL & ORS.

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 2nd July, 2024.

Mr. Krishnaraj Thaker, Mr. Chayan Gupta, Mr. Rittick Chowdhury, Mr.
Dwip Raj Basu, Advocates for the plaintiff.
Mr. Sudarsan Roy, Mr. Debayan Ghosh, Mr. Deep Narayan Mukherjee, Mr. Diptarka
Majumder, Advocates for defendant nos.1 to 9.
Mr. Sounak Mukhopadhyay, Mr. Kallol Saha, Mr. Akash Ghosh, Ms. Monika Roy,
Advocates for respondent no.12.
Mr. S .K. Poddar, Adv. for respondent nos.10 & 11.

The Court : This is an application for extension of time to file written statement by the defendant nos.1 to 9 in the above suit. Although, the reasons cited for the delay are not very convincing, yet for the ends of justice and keeping in mind that the said defendant nos.1 to 9 have approached this Court beyond 30 days from the date of receipt of the Writ of Summons i.e. 21st February, 2024 but within 120 days being the maximum outer limit permissible for filing written statement in a suit filed in the Commercial Division of this Court, the time to file the written statement is extended till 10th July, 2024, subject to payment of costs assessed at Rs.10,000/-. Out of Rs.10,000/-, Rs.5000/- shall be paid to the

High Court Legal Service Committee and the balance sum of Rs.5000/- shall be paid to the plaintiff. The payment of cost is pre-condition to the filing of the written statement. The department shall accept the written statement verified and affirmed on 6th May, 2024 if in proper order and form on being approached within the extended time period if the cost as directed is paid. Immediately upon filing of the written statement, the defendant nos.1 to 9 shall serve a copy of the written statement with all legible annexures to the plaintiff and its Advocate-on-Record. Once the written statement is filed, the parties shall take necessary steps to make the suit ready for hearing.

It is made clear that if the cost is not paid within the time provided, no further extension of time for filing of the written statement by the defendant nos.1 to 9 shall be given.

Nothing further remains to be adjudicated in this application.

The application being GA-COM 6 of 2024 is accordingly disposed of.

Since I have not called for any affidavit, the allegations contained in the application are deemed to have not been admitted by the plaintiff.

(ARINDAM MUKHERJEE, J.)