

OD-6

ORDER SHEET

CSOS/3/2025

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

MALATI TULSHAN
-VS-
KAILASH NEVATIA

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : MARCH 6, 2025

Appearance :

Mr. Siddhartha Banerjee, Adv.
Mr. Arnab Dutt, Adv.
Mr. Sailendra Nath Chakraborty, Adv.
Mr. Sabyasachi Hajra, Adv.
...for the plaintiff

Mr. Nirmalya Dasgupta, Adv.
Mr. Dibanath Dey, Adv.
...for the defendant

The Court: Mr. Siddhartha Banerjee, learned Counsel, is appearing
for the plaintiff.

Mr. Nirmalya Dasgupta, learned Counsel, is appearing for the
defendant.

The matter is listed as "To be Mentioned" on the prayer made by
the Counsel for the defendant.

Counsel for the defendant submits that on 20th February, 2025
when the matter was taken up for hearing, inadvertently counsel for the
defendant submits that Vakalatnama has filed. He submits that

Vakalatnama is with the defendant and if leave is granted by this Court, the defendant will file *Vakalatnama* in course of the day in the department.

Leave is granted to the defendant to file *Vakalatnama* in the department in course of the day.

Counsel for the plaintiff submits that the plaintiff has taken steps for service of writ of summons but the same was returned with the endorsement "addressee moved". Accordingly, Counsel for the plaintiff prays for direction upon the defendant to furnish the correct address of the defendant so that the plaintiff may take appropriate steps to correct the address of the defendant in the cause title of the plaint.

The advocate on record of the defendant is directed to inform the correct address of the defendant by way of communication within a week from date and if the Learned Counsel is ready to accept plaint and documents to request for supply of the copy of the same and on receipt of the request from the advocate on record of the defendant, the advocate on record of the plaintiff is directed to serve the copy of the plaint along with all documents to the advocate on record of the defendant within a week from date of receipt of the request from the advocate on record of the defendant.

Accordingly, issuance of writ of summons upon the defendant is dispensed with.

The order dated 20th February, 2025 is modified to the above extent.

(KRISHNA RAO, J.)