

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

IA NO: GA/5/2002(Old No: GA/4529/2002)

CS/1/1999
MAGMA LEASING LTD.
VS
VHEL INDUSTRIES LTD.

BEFORE:

The Hon'ble JUSTICE BIVAS PATTANAYAK

Date: 18th September, 2025.

The Court:

1. The matter is appearing under the heading "*To Be Mentioned*" at the instance of the learned Master and Official Referee of this Hon'ble Court.

2. None appears for any of the parties.

3. Perused the report of the Master and Official Referee, Original Side, High Court, Calcutta dated 17th September, 2025.

4. On 19th December, 2024, leave was granted to draw up and complete the decree mentioned in the application.

5. In the aforesaid report following discrepancies have been noted:

- (i) *The date of Terms of settlement as mentioned in the 2nd paragraph of the 1st page of the order dated 11.11.2003 (flag- 'A') and in the prayer (a) of the application in GA No. 3281 of 2003 does not tally with that of the last page of the Terms of settlement (the original Terms of Settlement along with original application is enclosed herewith).*

- (ii) *Although, in the said order dated 11.11.2003 and in prayer (a) of the application the Terms of settlement has been marked as annexure 'B', yet the fact is that there is no number of annexure in the said petition. Moreover, there is no Annexure-A in the said petition.*
- (iii) *In terms of Clause 1 of the Terms of Settlement the name of the defendant nos. 6 and 7 were to be added in the cause title of the suit. But till date no initiative was taken on behalf of the advocate concerned to communicate this Registry for amendment of the Cause title of the plaint.*

6. As per the aforesaid report, notice of compliance was issued on 10th July, 2025, however, save and except forwarding copies of three orders, no steps have been taken by the applicant to remove the discrepancies.

7. In view of the above discrepancies as noted in the aforesaid report, the leave granted on 19th December, 2024 is withdrawn.

8. The applicant is directed to remove the discrepancies as noted in the report.

9. Let the matter be placed before the appropriate Bench having the determination.

(BIVAS PATTANAYAK, J.)