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

CS 16 OF 2021

IN THE MATTER OF:
AMALGAMATED FUELS LIMITED
VS.
DEEPAK PURI AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 3rd February, 2023.

Appearance:

Mr. Avinash Kankani, Adv.

Mr. Sarosij Dasgupta, Adv.

Mr. Suman Majumder, Adv.

For plaintiff

Mr. Utpal Bose, Sr. Adv.

Mr. Rajarshi Dutta, Adv.

Ms. Labanyasree Sinha, Adv.

Mr. Vidhya Upadhyay, Adv.

For defendant nos. 1 and 2

Mr. Debdutta Sen, Adv.

Ms. Suchishmita Chatterjee Ghosh, Adv.

Mr. Malay Kumar Seal, Adv.

For defendant no. 3.

The Court:- In this suit, the plaintiff's witness has been examined and cross-examined. Today is fixed for examination of the witness of defendants no. 1 & 2. The witness of the said defendants no. 1 & 2 is present. The defendant no. 3 who remained unrepresented for all these days suddenly appears today and submits that the said defendant has entered appearance on 13th July, 2021 and has also filed the written statement on 14th July, 2021. Neither the plaintiff nor the defendants no. 1 & 2 has been intimated about the defendant no. 3 having

entered appearance and filing the written statement though the defendant no.3 was obliged under the provisions of Rule 18 of Chapter VIII of the Original Side Rules of this Court to inform the plaintiff's advocate about the entering of appearance. No copy of the written statement or any intimation as to filing of the same has been given either to the plaintiff or to the defendants no.1 & 2.

In the aforesaid circumstances, the matter is adjourned till 10th February, 2023. The department shall file a report stating clearly when the writ of summons was served on the defendant no.3, what was the time stipulation under the writ of summons to enter appearance and file written statement and whether the written statement has been at all filed as claimed by the defendant no.3. The report should be placed before the Court when the matter is directed to appear next.

(ARINDAM MUKHERJEE, J.)

Sb/