

**In The High Court at Calcutta  
Commercial Division  
Original Side**

**IA NO. GA-COM/2/2025  
In CS-COM/12/2025**

PRAVIN UTTAM JADHAV  
Vs  
M/S SENCO JEWELLERS PRIVATE LIMITED

**BEFORE:  
The Hon'ble JUSTICE ANIRUDDHA ROY  
Date: March 25, 2026.**

Appearance:  
Mr. Sunil Kumar Singhanian, Adv.  
Ms. Kalpana Singhanian, Adv.  
...for the plaintiff.

Mr. S.S. Sarker, Adv.  
Ms. Anita Kundu, Adv.  
...for the respondent.

The Court: Pursuant to the leave granted by this Court on **January 14, 2026**, the rejoinder filed in Court today, on behalf of the defendant, is taken on record. Copy has been served.

The claim of the plaintiff is on account of goods sold and delivered. The claim in the plaint with interest is on account of three invoices for a total sum of Rs. **49,50,300/-**.

Through this application, the petitioner has claimed a summary judgment/ decree for the same amount.

The record shows that a cheque dated **June 28, 2024** issued by the defendant, for a sum of Rs. **37,49,455/-** has been dishonoured at **pages 26 and 27** to the application. The record further shows that the defendant has

availed of GST credit at **pages 10 to 17** of the affidavit in reply in support of the same three invoices.

However, the defendant has denied and disputed that the defendant has availed of the GST credit facility.

Considering the facts and records in the proceeding, it appears to this Court that the claims and rival claims of the parties are based on accounting dispute on quantum of money whether payable or not and if payable to what extent. The record further shows that an attempt for mediation has been made previously where the defendant failed to appear.

However, considering the nature of dispute, one further attempt can be made for mediation between the parties. It is made clear that both the parties shall be reasonable before the mediator so that a fruitful mediation can happen between them.

It is needless to mention that the mediation shall take place without prejudice to the rights and contentions of the parties in the suit and the pending application in connection there with.

The parties shall serve a copy of today's order upon the mediation centre at the High Court for holding mediation between the parties. The Registrar, Original Side shall communicate this order to the mediation centre upon compliance of all the formalities which are essentially required to be complied with.

The mediation shall commence positively within two weeks from the date of communication of this order and shall be concluded positively within two months from the date of the first sitting of the mediation.

The remuneration of the mediator shall be followed in terms of the prevailing structure prescribed under the relevant rules and regulations/ procedures.

Immediately after completion of the mediation, the mediator shall file a report before this Court but positively within two weeks from the last sitting of the mediation upon notice to the parties.

It is also observed that within the next seven days, the parties shall be at liberty to work out a fruitful settlement between themselves and if such settlement is arrived at, the parties shall file terms of settlement to be drawn in accordance with law before this Court. In the event, such settlement between the parties takes place within the said seven days, the parties shall not be required to approach the mediation centre.

It is made clear that in the event, the mediation fails, the application for summary judgment shall be taken up first.

**(ANIRUDDHA ROY, J.)**

Arsad