

ORDER SHEET

IA No.GA 4 of 2022  
In  
CS 42 of 2021  
IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE  
(COMMERCIAL DIVISION)

ZILLION INFRAPROJECTS PRIVATE LIMITED  
VS.  
SASHASTRA SEEMA BAL (SSB) & ANR.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 15<sup>th</sup> November, 2022

*Appearance*

Mr. Dhruva Ghosh, Sr. Advocate, Mr. Soumen Das,  
Advocates for the plaintiff.

Mr. Rudraman Bhattacharyya, Ms. Anamika Pandey, Advocates for defendant no.1.

Mr. Zeeshan Haque, Ms. Ankita Upadhyay, Advocates for defendant no.2.

The Court : This is an application by the defendant no.1 for rejection of the plaint and/or dismissal of the suit inter alia on the ground of non-compliance of the requirements of Section 80 of the Code of Civil Procedure, 1908. The plaintiff has fairly submitted that in the plaint relief has been claimed against the defendants jointly and severally but the effective decree which the plaintiff wants is against the defendant no.2. However, the plaintiff also says that the defendant no.1 is a proper party in whose presence the plaintiff wants the suit to be tried out. The plaintiff also intends to make an application for amending the plaint.

Responding to the submission made by the plaintiff, the defendant no.1 has no objection if the said defendant is transposed as a proforma defendant and may not press this application.

Considering such submission, let this application be adjourned and shall appear in the monthly list of January, 2023.

(ARINDAM MUKHERJEE, J.)