

OCD-5

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: 23<sup>rd</sup> February, 2023.

Mr. Dhruva Ghosh, Sr. Adv., Mr. Soumen Das, Mr. Altamash  
Alim, Advocates for the plaintiff.  
Ms. Anamika Pandey, Advocate for defendant no.1.  
Mr. Z. Haque, Mrs. A. Upadhyay, Advocates for defendant no.2.

The Court : Since the plaintiff's application (GA 5 of 2022) being an application for amendment has been allowed by permitting the plaintiff to relinquish its claim as against the defendant no.1 by not seeking any relief and/or decree against the said defendant, this application by the defendant no.1 for rejection of plaint on the ground that the plaintiff has no cause of action against the said defendant has become infructuous and is accordingly disposed of without any further order. The defendant no.1 on having agreed to withdraw the application if the plaintiff clarifies that it has no claim against the said defendant, the said defendant no.1 shall be

precluded from filing an application on the self-same ground.

The interim order of stay of the suit is also vacated.

(ARINDAM MUKHERJEE, J.)

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