

ODC-2

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
(COMMERCIAL DIVISION)

IA NO. GA 3 of 2022

In

CS 42 OF 2021

IN THE MATTER OF:
ZILLION INFRAPROJECTS PVT. LTD.
VS.
SASHASTRA SEEMA BAL (SSB) AND ANR.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 20th March, 2023.

Appearance:-
Mr. Dhruva Ghosh, Sr. Adv.
Mr. Soumen Das, Adv.
Mr. Altamash Alim, Adv..
For plaintiff/petitioner
Ms. Anamika Pandey, Adv.
For defendant no.1
Mr. Jit Ray, Adv.
Mr. A.A.Chakraborty, Adv.
For defendant no.2

The Court:- This is an application for appointment of a Commissioner to record the evidence of the plaintiff's witness, namely, Mr. Chandra Shekher Saxena. In this application, on 30th March, 2022, a direction was given for completing the discovery and inspection. The plaintiff has disclosed its document and had given inspection thereof to the defendants. Thereafter nothing further progressed with regard to the discovery and inspection by the defendants as the defendant no.1 took out an application under the provisions of Order 7 Rule 11 of the Code of Civil Procedure, 1908 for rejection of the plaint and/or dismissal of the suit. The said application of the defendant being GA 4 of 2022 has been

disposed of on 23rd February, 2023 by order dated 23rd February, 2023 passed in GA 4 of 2022. By the said order dated 23rd February, 2023 the amendments proposed by the plaintiff in its application being GA 5 of 2022 was also allowed as a consequence whereof the application of defendant no.1 failed. The plaint has now been amended and an amended copy of the plaint has been served on the defendants. Now, the suit is required to be heard.

The plaintiff shall prepare and file its affidavit of documents by 28th March, 2023. The defendants shall disclose their documents by 12th April, 2023 and give inspection thereof by 26th April, 2023. The parties by 10th May, 2023 file their admission and denial.

The affidavit of documents by the plaintiff, the affidavit of documents by the defendants, admission and denial of the documents by the plaintiff and the defendants shall be filed before the learned Master.

This application shall appear on 15th May, 2023 when the learned Master shall file a report as to whether the suit is ready in all respect for holding the first case management hearing.

(ARINDAM MUKHERJEE, J.)