

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
[COMMERCIAL DIVISION]

IA No. GA/6/2023
In
CS/42/2021
ZILLION INFRAPROJECTS PVT. LTD.
VERSUS
SASHASTRA SEEMA BAL (SSB) AND ANR.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 4th July, 2023.

Appearance:

Mr. Dhruva Ghosh, Sr. Adv.

Mr. Soumen Das, Adv.

Mr. Altamash Alim, Adv.

For the plaintiff.

Mr. Rudraman Bhattacharya, Adv.

Ms. Anamika Pandey, Adv.

Ms. Sneha Singh, Adv.

For the defendant no.1.

Mr. Mohit Gupta, Adv.

Mr. Jit Ray, Adv.

Mr. S.S. Chakraborty, Adv.

For the defendant no.2.

The Court:- Affidavit-in-opposition on behalf of the plaintiff and reply on behalf of the defendant no.2 filed in Court today are taken on record.

The defendant no.2 begins its argument in support of its application, inter alia, for rejection of the plaint. The defendant no.2 says that it is an agent of a disclosed principal which fact was specifically known to the plaintiff much before filing of the suit. No suit lies against an agent in view of the provisions of Section 230 of the Indian Contract Act, 1872. The suit is, therefore, bad for

misjoinder of necessary and proper parties. The argument, however, could not be concluded due to paucity of time.

Let this matter remain in the list to be taken up as and when the business of the Court permits.

(ARINDAM MUKHERJEE, J.)