

OC – 12

ORDER SHEET
GA 1 OF 2021
CS 66 OF 2021
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

MICKY METALS LIMITED
VERSUS
NATIONAL STEEL AGENCY AND ORS.

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date : 26TH MARCH, 2021.

Appearance :
Mr. Rupak Ghosh, Adv.
Mr. Ratul Das, Adv.
Mr. Abhijit Sarkar, Adv.
...For the Petitioner

Mr. Sanjib Bandhpadhya, Adv.
Mr. Rabindra Nath Das, Adv.
Mr. Ashok Kumar Singh, Adv.
Ms. S. Chakraborty, Adv.
...For the Respondent Nos. 1 and 2

The Court : In a suit for recovery of price of good and delivered the plaintiff seeks judgement on admission as well as injunction.

Learned Advocate appearing for the plaintiff draws the attention of the Court to the dishonoured cheque for a sum of Rs.10,24,680/- issued by the defendant No.1 under the signature of the defendant No.2.

At this stage, there should be an order in terms of prayer (d) of the petition.

Learned Advocate appearing for the defendant Nos.1 and 2 submits that, he requires some time to take appropriate instruction.

In the facts of the present case, it appears that, there is a dishonoured cheque issued by the defendant No.1 under the signature of the defendant No.2. It is claimed that the defendant No.1 stands dissolved.

In such circumstances, there will be an order in terms of prayer (d) of the petition as against the defendants limited to the fixed assets available to the defendants.

Let affidavit-in-opposition be filed by April 9, 2021; reply, if any, be filed by April 16, 2021.

List the application under the heading "Adjourned Motion" on April 19, 2021.

(DEBANGSU BASAK, J.)