

OD – 15 & 16

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

IA No. GA/7/2022
In
CS/43/2016

ABHISHEK AGARWALLA & ORS.
-VS-
KAILASH NEVATIA AND ORS.

IA No. GA/8/2023
In
CS/43/2016

ABHISHEK AGARWALLA & ORS.
-VS-
KAILASH NEVATIA AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : October 17, 2023.

Appearance:

Mr. Sakya Sen, Adv.
Mr. Ovik Sengupta, Adv.
Mr. Shiv Ratan Kakrania, Adv.
... for the plaintiffs

Mr. Swarnendu Ghosh, Adv.
Mr. Nirmalya Dasgupta, Adv.
Mr. Dibanath Dey, Adv.
Ms. Pallavi Pain, Adv.
... for the defendant no.4

Mr. Siddhartha Banerjee, Adv.
Mr. Sailendra Nath Chakraborty, Adv.
Mr. S.N. Ghosh, Adv.
Mr. Sabyasachi Hazra, Adv.
Mr. Saptarshi Chakraborty, Adv.
... for the defendant no.5

The Court: Mr. Sakya Sen, learned counsel, is appearing for the
plaintiffs. Mr. Swarnendu Ghosh, learned counsel, is appearing for the defendant

no.4 and Mr. Siddhartha Banerjee, learned counsel, is appearing for the defendant no.5.

The defendant no.5 has filed applications being GA/7/2022 and GA/8/2023. Counsel for the defendant no.5 has argued at length.

Counsel for the plaintiffs has raised the point of maintainability by pointing out the order passed by the Appellate Court in APO No.160 of 2018 dated 23rd August, 2018 and the order passed by this Court in GA/799/2017 dated 25th April, 2017.

Counsel for the defendant no.5 submits that he will give reply to the point of maintainability on the next date fixed.

Let the matter appear on 15th January, 2024 at 12:00 noon.

(KRISHNA RAO, J.)

RS