

OD-35

ORDER SHEET
CS/43/2016
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

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

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 31ST AUGUST, 2022.

Appearance:
Mr. N. Dasgupta, Adv.
Mr. D. Dey, Adv.
Ms. P. Pain, Adv.
For the defendant No.4

Mr. S. Banerjee, Adv.
Mr. S. N. Chakraborty, Adv.
Mr. S. Hazra, Adv.
Mr. S. N. Basu, Adv.
For the defendant No.5

The Court: Counsel for the plaintiff and the Counsel for the defendant
Nos. 4 and 5 are present.

Counsel for the plaintiff has handed over the service report dated 22nd
August, 2022 issued by the Deputy Sheriff of Kolkata wherein it reveals that
the writ of summons were served upon the defendant Nos. 2 & 4 on 8th
March, 2016 and 10th March, 2016 respectively.

It further reveals that the notice of summons was also served upon
the defendant No. 3 on 22nd March, 2016.

In spite of service of notice, none appears on behalf of the defendant
Nos.2 & 3.

Hence, the suit be proceeded as undefended suit against the
defendant Nos. 2 & 3.

Counsel for the defendant Nos. 4 & 5 submits that in terms of the order dated 3rd August, 2022, the plaintiff is required to serve the amended plaint by deleting the name of the defendant No.1 from the cause title but the same has not been served.

Counsel for the plaintiff prays for a week time to serve the amended plaint to the counsel for the defendant Nos. 4 and 5.

Counsel for the petitioner is directed to serve the amended plaint to the counsel for the respondent Nos.4 & 5 within a week from date.

The report dated 22nd August, 2022 be kept with the record.

Let the matter appear on 20th September, 2022.

(KRISHNA RAO, J.)

A.Dey