

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
[COMMERCIAL DIVISION]

CS-COM/564/2024
IA NO. GA-COM/3/2024
GA-COM/4/2025

BRAVO SPONGE IRON PRIVATE LIMITED

Vs

BIRAT CHANDRA DAGARA

&

CS-COM/565/2024
IA NO. GA-COM/1/2024
GA-COM/3/2024
GA-COM/4/2025

SHAKAMBARI ISPAT AND POWER LIMITED

Vs

BIRAT CHANDRA DAGARA

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : March 21, 2025

Appearance:

Mr. Kumarjit Banerjee, Adv.
Ms. Sanchari Chakraborty, Adv.
Mr. Sourajit Dasgupta, Adv.
Ms. Akanksha Chowdhury, Adv.
...for the plaintiff

Mr. Saurodip Banerjee, Adv.
Mr. Rahul Auddy, Adv.
...for the defendant

1. The matter is listed as "To Be Mentioned" on the prayer made by the Counsel for the plaintiff.
2. Counsel for the plaintiff submits that by an order dated 3rd March, 2025, this Court has rejected the application filed by the defendant for acceptance of the written statement.
3. Counsel for the plaintiff submits that as the defendant failed to file written statement, the suit is placed in the list of undefended suit.

4. Counsel for the defendant submits that there is change in advocate on record of the defendant. The defendant has filed an application being GA-COM/4/2025 for return of the plaint on account of non service of writ of summons in accordance with law.
5. Counsel for the plaintiff submits that the point raised by the defendant in GA-COM/4/2025 has already been decided by this Court in the order dated 3rd March, 2025.
6. Considered the submission made by the Counsel for the respective parties, this Court finds that by an order dated 3rd March, 2025 this Court has rejected the prayer made by the defendant for extension of time to file written statement.
7. Accordingly, CS-COM/564/2024 and CS-COM/565/2024 be placed in the undefended suit.
8. The plaintiff is directed to file Judge's Brief of Documents within two weeks after serving the copy to the learned Counsel for the defendant. The plaintiff is also directed to file affidavit of evidence of the plaintiff's witness within two weeks thereafter.
9. List this matter on 18th June, 2025 for witness action of the plaintiff's witness at 2:00 pm.
10. Let GA-COM/4/2025 be listed on 1st April, 2025.

(KRISHNA RAO, J.)