

OD-23, wt24 & wt25

ORDER SHEET

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

CS/76/2016
IA NO. GA/9/2019, GA/10/2019 (OLD NO. GA/2712/2019)

PRADIP KUMAR SARDA
-VS-
M/S. KALURAM SARDA & GRANDSONS & ORS.

&

EOS/2/2022

BINA DEVI SARDA
-VS-
MAHENDRA KUMAR SARDA AND ANR

&

EOS/3/2022

DR P K SARDA
-VS-
MAHENDRA KUMAR SARDA AND ANR

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : May 16, 2023.

Appearance:
Mr. Sukrit Mukherjee, Adv.
Mr. Joydeep Ray, Adv.

The Court: Counsel for the plaintiff is present.

None appears on behalf of the defendants.

It is found from the record that since the month of December, 2019 this Court has granted time to disclose their documents and inspection of the documents but till date the defendants have not come forward for disclosing their documents.

Counsel for the plaintiff submits that witness action of the plaintiff was going on and part examination-in-chief of the plaintiff was completed. It is found from the record that this Court has passed an order on 12th December, 2019 to file written statement. Though the defendants have filed their written statement but have not come forward to disclose their documents. Accordingly, this Court has no other alternative but to fix the matter for witness action of the plaintiff.

Counsel for the plaintiff also submits that IA NO. GA/9/2019, GA/10/2019 (OLD NO. GA/2712/2019) have already been disposed of by this Court by an order dated 12th December, 2019 and 11th December, 2019. Accordingly, IA NO. GA/9/2019, GA/10/2019 (OLD NO. GA/2712/2019) are to be deleted from the cause list.

Counsel for the plaintiff submits that with respect of item no.24 EOS/2/2022 and item no.25 EOS/3/2022, the defendants have also filed their written statement and in that case also no discovery and inspection has been carried out.

In view of the above, let all the suits be fixed for witness action.

Let the matter appear on 25th July, 2023 at 12:00 noon for witness action of the plaintiff's witness.

(KRISHNA RAO, J.)