

OCD-5

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

CS/78/2018
IA NO: GA-COM/9/2024

INDIAMART INTERMESH LIMITED
VS
ANKIT & ORS

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 5th JANUARY, 2024.

Appearance :
Mr. S. K. Bajoria, Adv.
For the Plaintiff

Mr. Soumya Roy Chowdhury, Adv.
Mr. Amitesh P. Ray, Adv.
For the defendant No.3

Ms. A. Chowdhury, Adv.
Ms. Pooja Sahu, Adv.
Ms. G. Verma, Adv.
...for the defendant no. 21

Mr. Phiroze Edulji, Adv.
Mr. S. Datta, Adv.
...for the defendant no.27

The Court : Mr. S. K. Bajoria, learned Senior Counsel appearing for the plaintiff and Mr. Soumya Roy Chowdhury, learned Counsel appearing for the defendant No.3. Ms. Pooja Sahu, learned Counsel appearing for the Defendant No.21 and Mr. Phiroze Edulji, learned Counsel appearing for the Defendant No.27.

Counsel for the plaintiff submits that in terms of the Order dated 30th August, 2023, the counsel for the plaintiff has filed the statement of truth, list of document, affidavit as per Order 11 Rule 1(4) CPC and affidavit

as per Order 11 Rule 6(3) CPC after serving the copy to the learned advocate for the appearing defendant. Let the same be kept with the record.

Counsel for the plaintiff submits that as the defendant Nos. 2 to 4, 14 to 20, 26 are residing at abroad and as such the necessary direction is required to be passed for issuance of writ of summons upon the defendant Nos. 2 to 4, 14 to 20, 26 to the Foreign Court/Embassy and as such the department is directed to serve the writ of summons upon the defendant Nos. 2 to 4, 14 to 20, 26 to the concerned Foreign Court/Embassy of the instant suit.

Counsel for the defendant No.21 and the defendant No.3 submits that the defendant appearing at page No.56A to 72 are not legible and prayed for direction upon the plaintiff to serve a legible copy of the said document.

Considering the submission made by the learned Counsel appearing for respective parties, the plaintiff is directed to serve the legible copy of the document appearing at page 56A to 73 to the appearing defendants within a week from date.

Counsel for the plaintiff submits that the plaintiff has applied for a report with regard to the service of notice upon the defendant but he has not received from the defendant and prays for time.

Counsel for the defendant No.21 prays for time to file written statement.

Considering the submission made by the counsel for respective parties, the defendant No.21 is directed to file written statement within eight weeks after receipt of the legible copy of the defendant as prayed for.

Let the matter appear in the list on 12th March, 2024.

(KRISHNA RAO, J.)

A.Dey