

OCD-10

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
COMMERCIAL DIVISION  
ORIGINAL SIDE

CS-COM/49/2025

UCO BANK AND ANR.  
VS  
HDFC BANK LTD AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : August 8, 2025

Appearance :

Mr. Rahul Sarkar, Adv.

Mr. C. Chatterjee, Adv.

Ms. Dipika Sarkar, Adv.

...for the plaintiff

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 on 31<sup>st</sup> July, 2025 she has inadvertently made an incorrect submission before this Court that the scrutiny has been completed and prays for leave for lodging writ of summons but the plaint has not been presented and is not admitted. Accordingly, she prays for recalling of the order dated 31<sup>st</sup> July, 2025 and fixing the matter for presentation of plaint.
3. Considered the submission made by the Counsel for the plaintiff. Perused the orders passed by this Court dated 12<sup>th</sup> June, 2025 and 31<sup>st</sup> July, 2025.
4. This Court finds that after the receipt of plaint, the Learned Master and Official Referee has submitted the report intimating this Court

that some of the defendants are outside the jurisdiction of this Court but the plaintiff has not prayed for leave under Clause 12 of the Letters Patent, 1865. On receipt of the report, the matter was placed in the list of this Court on 12<sup>th</sup> June, 2025 and as per the prayer made by the Counsel for the plaintiff, leave was granted to the plaintiff to incorporate the prayer as well as in the concise statement for leave under Clause 12 of the Letters Patent. As per the leave granted by this Court dated 12<sup>th</sup> June, 2025, the plaintiff has added the prayer for grant of leave under Clause 12 of the Letters Patent in the prayer portion as well in the concise statement but inadvertently, 31<sup>st</sup> July, 2025 it was submitted before this Court that scrutiny has been completed and prays for leave for lodging writ of summons.

5. Considering the above, this Court finds that the plaintiff has made submission inadvertently without going through the record.
6. Accordingly, the order dated 31<sup>st</sup> July, 2025 is recalled.
7. Let the matter appear on 12<sup>th</sup> August, 2025 under the heading "Presentation of Complaint".

(KRISHNA RAO, J.)