

ORDER SHEET

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

IA No. GA/1/2024
In
CS/144/2024

RATNA CHOWDHURY AND ORS
-VS-
DIBYENDU CHOWDHURY

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : October 1, 2024.

Appearance:

Mr. Anirban Kar, Adv.
Mr. Munshi Ashiq Elahi, Adv.
Ms. Singdha Das, Adv.
...for the plaintiffs

The Court: Mr. Anirban Kar, learned counsel, is appearing for the plaintiffs.

The plaintiffs have filed an application being GA/1/2024 praying for condoning the delay for lodging the writ of summons.

Counsel for the plaintiffs submits that by an order dated 12th June, 2024, this Court has admitted the plaint by granting leave under Clause 12 of the Letters Patent, 1865. Subsequently, the office has completed the scrutiny on 24th July, 2024. Thereafter the plaintiffs could not lodge the writ of summons due to some personal difficulties. Accordingly, the plaintiffs have filed the present application for condoning the delay and allowing the plaintiffs to lodge the writ of summons.

Considered the submission made by the counsel for this plaintiffs.

This Court finds that the plaintiffs have shown sufficient cause for non-lodging the writ of summons. Accordingly, for the interest of justice, prayer for lodging of writ of summons is allowed.

The plaintiffs are directed to lodge the writ of summons on or before 8th October, 2024.

If the plaintiffs lodge the writ of summons by 8th October, 2024, the department is directed to take appropriate steps for issuance of writ of summons within two weeks after puja vacation.

GA/1/2024 is disposed of.

It is found that the plaintiffs have prayed returnable date after a period of 9 weeks but it is found that the defendant is out of jurisdiction of this Court and the returnable date should be 11 weeks from the date of issuance of writ of summons.

(KRISHNA RAO, J.)