

ORDER SHEET

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

CS/161/2020
IA NO: GA/3/2022

JUSTIN CONRAD NAGLE AND ORS
VS
SHER ALI MULLICK AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : August 29, 2023.

Appearance:

Mr. Shiv Shankar Banerjee, Adv.
Mr. A. Ghosh, Adv.
Mr. Dhilon Sengupta, Adv.
..for the plaintiff

Mr. Shyamal Chakraborty, Adv.
Mr. D. Mondal, Adv.
Mr. Anjana Das, Adv.
..for the defendant Nos. 2, 4-9, 12 and 13

The Court: Counsel for the respective parties are present.

Counsel for the plaintiff submits that the plaintiff has filed the written statement to the counter claim after serving the copy of the Counsel for the defendant.

Counsel for the defendant prays for imposing the cost as the plaintiff has filed written statement along with counter claim after the lapse of time granted by this Court.

In view of the submission made by the Counsel for the respective parties, the written statement along with counter claim is accepted subject to payment of cost of Rs.2500/- within a week from date.

It is found from record that the pleadings have been completed and as such the parties are directed to complete their discovery and inspection of

the documents within two weeks. Affidavit of admission and denial be filed within a week thereafter.

In the meantime, the parties are also directed to exchange their suggested issues.

List this matter on 28th September, 2023 under the heading “For Framing of Issues”.

Counsel for the respective parties submit that defendant Nos. 1, 3 and 10 passed away and as such prayed for deletion of the name of the defendant Nos. 1, 3 and 10 from the cause title of the suit as well as the written statement.

In view of the submission made by the Counsel for the respective parties, the department is directed to delete the name of the defendant Nos. 1, 3 and 10 from the cause title of the plaintiff as well as the counter claim.

Parties are also directed to re-affirm and re-verify the affidavit within a week making necessary amendment by the department.

GA No. 3 of 2022 is disposed of.

(KRISHNA RAO, J.)