

OD-7

ORDER SHEET

CS/161/2020  
IA No.GA/3/2022

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

JUSTIN CONRAD NAGLE AND ORS.

-VS-

SHER ALI MULLICK AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : June 30, 2023.

Appearance:

Mr. Dhillon Sengupta, Adv.  
... for the plaintiffs.

Mr. Shyamal Chakraborty, Adv.  
... for the defendants.

The Court: Counsel for the respective parties are present.

It is found from the record that the plaintiffs were informed about the death of the defendant nos. 1 and 3 and also informed about the legal heirs of the defendant nos. 1 and 3 but till date the plaintiffs have not taken any steps for substitution of the legal heirs of the defendant nos. 1 and 3.

Counsel for the defendant nos. 2, 7, 8 and 9 have also filed counter-claim and the plaintiffs have taken several times but have not filed written statement to the counter-claim and on 25<sup>th</sup> July, 2022 the plaintiffs have filed an application being GA/3/2022 praying leave to file written statement to the counter-claim. Though the application was filed on 25<sup>th</sup> July, 2022, but till date the copy of the application is not served to the defendant nos. 2, 7, 8 and

9. From the record it reveals that the plaintiffs are proceeding with the matter in a delayed manner and the plaintiffs are not interested to proceed with the matter and thus for the interest of justice, the case is adjourned for a week subject to payment of costs of Rs.10,000/- to the defendant nos. 2, 7, 8 and 9.

Let the matter appear on 12<sup>th</sup> July, 2023.

It is made clear that on the date fixed if the costs is not paid and no steps is taken by the plaintiffs, appropriate orders will be passed.

(KRISHNA RAO, J.)

RS