

ORDER SHEET

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

CS/142/2013

PODDAR PROJECTS LTD AND ANR.
VS
ECONOMIC TRANSPORT ORGANISATION LTD.

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 19th June, 2025

Appearance:

Mr. Swarnendu Ghosh, Sr. Adv.

Mr. Aurin Chakraborty, Adv.

Mr. Suman Majumder, Adv.

...for the plaintiffs

Mr. Jishnu Chowdhury, Sr. Adv.

Mr. Abhidipto Tarafdar, Adv.

Ms. Priyanka Tibruwal, Adv.

...for the defendant

The Court: Mr. Ghosh, learned Senior Advocate for the plaintiffs and Mr. Jishnu Chowdhury, learned Senior Advocate for the defendant are present.

Mr. Ghosh, learned Senior Advocate submits that the suit be released and be converted as the dispute involves is commercial in nature in view of the Judgment passed by the Hon'ble Division Bench in the reference of GA (COM)/2/2024 in CS (COM)/4/2023.

Mr. Chowdhury, learned Senior Advocate for the defendant objects to the transfer and submits that an application under Order VII Rule 11 CPC is pending. Thus, the suit is not maintainable and is liable to be dismissed and in terms of the Order of the Hon'ble Apex Court there is liberty to put necessary question with regard to maintainability in cross-examination.

Learned Counsels are requested to come with written notes of argument along with compilation of the Judgment.

Let this matter appear on 3rd July, 2025 at 3 p.m.

Let the copy of the Judgment filed be kept with the record.

(BISWAROOP CHOWDHURY, J.)

S. A.
AR(C R)