

OCD-3

**In the High Court at Calcutta
Commercial Division
Original Side**

**CS-COM/17/2026
IA NO: GA/7/2025**

PODDAR PROJECTS LTD AND ANR
VS
ECONOMIC TRANSPORT ORGANISATION LTD

**BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date : March 31, 2026.**

Appearance:
Mr. Avinash Kankani, Adv.
Mr. A. Chakraborty, Adv.
Ms. Shree Chatterjee, Adv.
...for the plaintiffs

Mr. Partha Sarathi Mullick, Adv.
Mr. Prasenjit De, Adv.
...for the defendant

The Court : The plaintiffs/landlords in the instant case had filed the instant eviction suit against the defendant/tenant.

Whether the eviction suit shall be considered as a commercial litigation, the issue is pending before the Hon'ble Supreme Court in **Civil Appeal No. 4660/2021**.

Learned Advocate for the parties have placed an order before this Court passed by the Hon'ble Supreme Court dated **March 20, 2026** passed in **SLP (Civil) Diary No. 70360/2025**, copy of the order is taken on record.

Since, the core issue in this suit is identical with the issue pending before the Hon'ble Supreme Court, this Court is of the firm view that

unless the issue is decided before the Hon'ble Supreme Court, hearing of the suit is required to be adjourned.

Mr. Avinash Kankani, learned Advocate appearing for the plaintiffs/landlords submits that the plaintiffs are willing to proceed with the suit by taking a risk that if ultimately the issue pending before the Hon'ble Supreme Court goes against the landlords, it will face the consequences.

He further submits that there is no order of stay of the judgment of the Hon'ble Division Bench of this Court ***In the matter of: T.E. Thomson and Company Limited & Anr.***

He further submits that by an order dated **April 7, 2025**, passed in **SLP Civil No. 8440 of 2025**, which was an SLP in connection with the instant suit, the Hon'ble Supreme Court has directed this suit to be disposed of within a specific timeframe of **six months**.

After considering the submissions made on behalf of the plaintiffs/landlords through Mr. Avinash Kankani, learned Advocate, this Court finds that the direction of the Hon'ble Supreme Court for expeditious disposal of the instant suit, is dated **April 7, 2025**, whereas the order of Hon'ble Supreme Court passed ***In the matter of: T.E. Thomson and Company Limited & Anr*** is dated **March 20, 2026**, as already referred to above.

The later order shows that identical issue is pending before the Hon'ble Supreme Court, though in a different matter, but depending upon the final decision of the issue before the Hon'ble Supreme Court, complexion of the instant suit will depend.

In view of the above, this Court is of the considered view that it is a fit case, at this stage, to adjourn the hearing of the instant suit until the issue is finally decided which is pending before the Hon'ble Supreme Court ***In the matter of: T.E. Thomson and Company Limited & Anr.***

Hearing of the suit stands **adjourned sine die**.

Parties to the suit, upon notice to each other, shall be at liberty to mention the suit for further consideration after the issue is finally decided by the Hon'ble Supreme Court.

Whenever the instant suit shall be mentioned, parties shall produce a copy of today's order before the Court.

(ANIRUDDHA ROY, J.)

Sbghosh