

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

IA NO. GA/1/2023
In CS/107/2016

KALIMATA INFRATECH LIMITED
Vs
MAHESHWARI DEVI & ORS.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 03RD May, 2023.

Appearance:
Mr. Aniruddha Mitra, Adv.
Mr. Abhishek Seal, Adv.
..for the plaintiff

The Court: Counsel for the plaintiff is present.

The plaintiff has filed the present application being GA No. 1 of 2023 praying for leave for extension of time to lodge the writ of summons in the Office of Sheriff, Calcutta.

Counsel for the plaintiff submits that though the suit was filed in the year 2016 but only by an order dated 2nd January, 2023 this Court has granted leave under Clause 12 of the Letters Patent, 1865 read with order II Rule 2 of the Code of Civil Procedure, 1908. Counsel for the plaintiff submits that after the grant of leave, the plaintiff carried out the defects as there are all together 26 defendants and only on 4th April, 2023 the defects were cured. In the meantime, the prescribed period is over and as such the department could not extend the time. Accordingly, the petitioner has filed the instant application.

Considered the submission made by the Counsel for the plaintiff.
Perused the application and the averments made therein.

In view of the above, prayers (b) and (c) of the Master's Summons are allowed.

It is made clear that the returnable date of writ of summons may be fixed by eleven weeks.

GA No. 1 of 2023 is disposed of.

(KRISHNA RAO, J.)

Sbghosh