

O-87

IA NO. GA/1/2021
In CS/139/2018
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

UNION OF INDIA , MINISTRY OF RAILWAYS & ANR.
Vs
M/S BRAVO SPONGE IRON PVT LTD & ORS.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 8th July, 2022.

Appearance:
Mr. Deepak Kumar Singh, Adv.
...for plaintiff.

The Court : This is an application under Order VII Rule 11 of the Code of Civil Procedure, 1908.

It is alleged on behalf of the defendant no. 1 that the suit has been instituted without seeking dispensation under Section 12A of the Commercial Courts Act, 2015.

I find that the suit has not been filed before the “Commercial Division” of this Court. Neither is the suit marked as a “Commercial Suit”.

Hence, in my view there is no question of the plaintiff seeking dispensation under Section 12A of the Commercial Courts Act, 2015. There is no requirement to seek dispensation under Section 12A of the Commercial Courts Act, 2015 in this suit.

In view of the above, this application for rejection of the plaint is misconceived and stands dismissed.

(RAVI KRISHAN KAPUR, J.)