

OCD-17

ORDER SHEET

CS-COM/712/2024

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

[Commercial Division]

SKIPPER LIMITED
-VS-
PRABHA INFRASTRUCTURE PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : June 28, 2024.

Appearance:

Mr. Shounak Mukhopadhyay, Adv.

Mr. Sayantan Bose, Adv.

Ms. Manisha Das, Adv.

...for the plaintiff

The Court: Mr. Shounak Mukhopadhyay, learned Counsel, is appearing for the plaintiff.

Counsel for the plaintiff has submitted that earlier the plaintiff has filed this suit and leave was granted.

Subsequently, the leave was revoked and the suit was dismissed. After the dismissal of the earlier suit, the plaintiff has instituted pre-institution mediation process. The pre-mediation process was failed and non-started report has been given. After the non-started report, the plaintiff has filed the present suit and prays for leave under Clause 12 of the Letters Patent on the

ground that the plaintiff is within the jurisdiction but the defendant is outside the jurisdiction of this Court.

After going through the prayer portion, it is found that the plaintiff is also prayed for leave under Section 12A of the Commercial Courts Act, 2015.

Counsel for the plaintiff prays for leave to delete the leave under Section 12A of the Commercial Courts Act, 2015 in the prayer portion as well as in the concise statement.

Accordingly, the plaintiff is granted leave to delete the portion of leave with respect of under Section 12A of the Commercial Courts Act, 2015, in the both places of prayer portion as well as concise statement.

Leave under Clause 12 of the Letters Patent is granted.

(KRISHNA RAO, J.)

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