

OD-3

ORDER SHEET

CS/193/2019

IA No. GA/1/2019 (Old No. GA/2521/2019),
GA/3/2020 (Old No. GA/367/2020),
GA/7/2023, GA/8/2023

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

ERA BANTHIA
VS
M/S. SHIVSONS AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : April 15, 2024.

Appearance

Ms. Aparajita Rao, Adv.
Mr. Sanwal Tibrewal, Adv.
Ms. S. Ray, Adv.
...For the Plaintiff

Mr. Sujit Banerjee, Adv.
Mr. Nilay Sengupta, Adv.
Mr. Ankit Agarwal, Adv.
...For the Defendant Nos. 1 to 3

The Court : Ms. Aparajita Rao, learned Counsel, is appearing for the plaintiff.

Mr. Sujit Banerjee, learned Counsel, is appearing for the defendant Nos.1 to 3.

The matter is listed today as "To Be Mentioned" on the prayer made by the Counsel for the plaintiff.

Counsel for the plaintiff says that as per the leave granted by this Court the plaintiff has taken out the writ of summons and the writ of summons was firstly served upon the defendant nos.1 to 3, but in spite of service of writ of summons the defendants have not filed the written statement.

Counsel for the defendant nos.1 to 3 submits that they have filed an application being GA/8/2023 praying for extension of time to file written statement and the written statement is also ready.

Counsel for the plaintiff submits that if the defendant Nos.1 to 3 are ready with the written statement, the same may be accepted and further direction may be passed for discovery and inspection of the document.

Counsel for the defendant Nos.1 to 3 submits that the written statement is ready and will file the same in the department within two days after serving the copy to the learned Counsel for the plaintiff.

In view of the submissions made by the Counsel for the respective parties, time to file written statement by the defendant Nos.1 to 3 is extended for a further period of one week after serving the copy to the learned Counsel for the plaintiff. If the defendant files the written statement after serving the copy to the learned Counsel for the plaintiff, the parties are directed to complete the discovery and inspection of the document within three weeks from the date of filing of the written statement. Affidavit of document be filed within a week thereafter.

In the meantime, the parties are also directed to exchange their suggested issues.

List the matter on 20th May, 2024 for framing of issues.

In view of the above, GA/8/2023 is disposed of.

Counsel for the plaintiff submits that GA/7/2023 filed by the plaintiff is pending for hearing.

Let GA/7/2023 be listed along with the suit on 20th May, 2024.

(KRISHNA RAO, J.)