

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

CS-COM/84/2024
[OLD NO CS/164/2017]

NESTLE INDIA LIMITED
VS
EASTERN COALFIELDS LIMITED

BEFORE:
THE HON'BLE JUSTICE SUGATO MAJUMDAR
Date: 2nd December, 2024.

Appearance:
Mr. Rohit Mukherji, Adv.
Mr. Pankaj Agarwal, Adv.
Ms. Champa Pal, Adv.
...for the plaintiff.

Mr. Shaunak Sengupta, Adv.
...for the defendant.

The Court:- Affidavit of admission, denial and issued are filed by both the parties.

Suggested issues are framed as follows:-

1. Whether the suit is maintainable?
2. Whether the suit is barred by law of limitation ?
3. Whether the suit discloses any cause of action ?
4. Whether there was valid and binding Fuel Supply Agreement between the plaintiff and the defendant ?
5. Whether the plaintiff committed any breach of agreement ?
6. Whether the defendant is justified any forfeiture of the security deposit ?

7. Whether the defendant is justified in invocation of bank guarantee ?
8. Whether the defendant wrongfully terminated the Fuel Supply Agreement ?
9. Whether the defendant committed any breach of agreement ?
10. Whether the plaintiff is entitled to any amount of money from the defendant ?
11. Whether the plaintiff is entitled to any relief prayed for ? What other relief or reliefs, if any, the plaintiff is entitled to ?

Fix 06.01.2025 for witness action.

(SUGATO MAJUMDAR, J.)