

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IA No. GA-COM/1/2024
In CS-COM/730/2024

SHEKHAR AGARWAL
-VS-
KAUSHAL KANDEL

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : January 31, 2025.

Appearance:

Mr. Supratim Laha, Adv.

Mrs. Saroj Tulsian, Adv.

Mr. Sudipta Das, Adv.

Mrs. Anamika Das Maity, Adv.

...for the plaintiff

The Court: Mr. Supratim Laha, learned advocate, is appearing for the plaintiff.

The plaintiff has filed the present application being GA-COM/1/2024 praying for amendment in the plaint as well as in the list of documents.

Counsel for the plaintiff submits that after presentation of the plaint, at the time of scrutiny, learned Master of this Court has pointed out that in paragraph 20 of the plaint the plaintiff has mentioned about the show cause notice dated 28th December, 2020 but the plaintiff has not disclosed the said documents which are the part of the show cause notice and as such the plaintiff has filed the present application.

Considering the submission made by the counsel for the plaintiff, this Court finds that though the plaintiff intends to amend the paragraph 20 of the plaint by describing about 19 documents but this Court is of the

view that the plaintiff by way of amendment wants the list of documents to be amended. It appears that the plaintiff intends to bring the documents which were in possession of the plaintiff but the plaintiff has not disclosed the same at the time of the filing of the suit and only to bring the said documents on record, the plaintiff has filed the present application for amendment. When this Court has pointed out the same, counsel for the plaintiff prays for withdrawal of the instant application. Accordingly, GA-COM/1/2024 is dismissed as withdrawn.

Counsel for the plaintiff prays for extension of time to rectify the defects as pointed out by the department.

In view of the submission made by the counsel for the plaintiff, the plaintiff is granted two weeks time to rectify the defects as pointed out by the department by a report dated 24th December, 2024.

(KRISHNA RAO, J.)