

OCD-28

ORDER SHEET

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

[COMMERCIAL DIVISION]

IA NO: GA-COM/3/2024  
IN CS-COM/738/2024

RAJA TARAFDAR AND ANOTHER  
-Vs-  
SK MD ASHRAF AND OTHERS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : November 29, 2024.

Appearance :  
Mr. Munshi Ashiq Elahi, Adv.  
Mr. Hashim, Adv.  
...for the petitioner/defendant

The Court: Mr. Munshi Ashiq Elahi, learned counsel, is appearing for the defendant.

None appears on behalf of the plaintiff.

The defendant has filed an application being GA-COM/3/2024 praying for extension of time to file written statement. Counsel for the defendant submits that the Writ of Summon was served upon the defendant on 20<sup>th</sup> September, 2024 and 30 days for filing the written statement expired on 17<sup>th</sup> October, 2024.

Counsel for the defendants submits that as the Writ of Summons was served during the puja vacation and as such the defendants could not contact their advocate-on-record to give proper instruction and the document so as to enable the advocate-on-record of the defendants to file written statement. He submits the written statement

has already been drafted on 8<sup>th</sup> November, 2024 and also served upon counsel for the plaintiff.

Considering the submission made by the counsel for the plaintiff this Court finds that the defendants have filed the present application within the outer time of 120 days and has also affirmed the affidavit of the written statement within the outer time of 120 days.

Accordingly the defendants are directed to file their written statement within a week from date subject to scrutiny by the department.

GA-COM/3/2024 stands disposed of.

(KRISHNA RAO, J.)

DB