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ORDER SHEET

CS 98 of 2023  
IA No.GA 1 of 2023, GA 2 of 2023  
IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE

MERLIN PROJECTS LIMITED  
VS.  
LORD GRIH NIRMAN PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 12<sup>th</sup> July, 2023.

Mr. Abhrajit Mitra, Sr. Adv., Ms. Rajshree Kajaria, Mr. Jishnu Chowdhury, Mr. Sankarsan Sarkar, Mr. Uttam Sharma, Mr. Shayak Mitra, Advocates for plaintiff.  
Mr. Amit Singh Chaddha, Sr. Advocate, Mr. Jishnu Saha, Sr. Adv., Mr. Pradeep Kumar, Mrs. Suchishmita Ghosh Chatterjee, Advocates for defendant.

The Court : The interlocutory application being GA 1 of 2023 was moved before the Vacation Bench on 1<sup>st</sup> June, 2023. The matter was mentioned before this Bench being the regular Bench after reopening and was brought to the list on 5<sup>th</sup> July, 2023. At the time of mentioning I had expressed my mind that being associated with the plaintiff company as an advocate while in the Bar I am reluctant to take up the matter. On 5<sup>th</sup> July, 2023 when the matter appeared in the list the learned Advocates representing the plaintiff submitted that since the matter is a new one with which I could not have any involvement while in the Bar, the application should be heard by this Bench. The learned Advocate for the defendant

present on 5<sup>th</sup> July, 2023 also submitted that she had no objection if the matter is being heard by this Bench. In that perspective an order was passed on 5<sup>th</sup> July, 2023. On 10<sup>th</sup> July, 2023 the matter appeared in the list and on 11<sup>th</sup> July, 2023 it was mentioned by the defendant expressing their intention not to have the matter heard before this Bench.

Without going into the consent given by the defendant through its Advocate, since the defendant is unwilling to do the matter before this Bench, the suit being CS 98 of 2023 along with all connected applications which are pending as on date are released from this Bench.

(ARINDAM MUKHERJEE, J.)