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ORDER SHEET  
CS/249/2019  
IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMMERCIAL DIVISION

PIYUSH BAID  
VERSUS  
KAMALESH AGARWAL

BEFORE:  
The Hon'ble JUSTICE DEBANGSU BASAK  
Date: 16<sup>th</sup> December, 2020.

(Via Video Conference)

*Appearance:*  
*Mrs. Manju Agarwal, Adv.*

The Court: The disputes involved in the instant suit are “commercial disputes” within the meaning of the Commercial Courts Act, 2015.

The cause title is intulated as under Order XXXVII Rule 3 of the Code of Civil Procedure.

The plaintiff did not undertake mandatory mediation under the provisions of the Act, 2015. The plaintiff did not file any urgency application. There is no prayer for leave under Section 12A of the Act, 2015 in the plaint.

In such circumstances, CS/249/2019 cannot be admitted in view of Section 12A of the Act, 2015. Section 15 of the Act of 2015 is not attracted.

The Department will treat CS/249/2019 as dismissed.

This order will not prevent the plaintiff from approaching the appropriate forum on the selfsame cause of action.

(DEBANGSU BASAK, J.)