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

CS/249/2019

PIYUSH BAID  
VS  
KAMALESH AGARWAL

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 15<sup>th</sup> January, 2025.

APPEARANCE:

Mr. Rohit Banerjee, Adv.

...for plaintiff.

The Court:- Affidavit of admission and denial of documents is filed by the defendant today. Let the same be kept in the record.

On the basis of rival pleadings, the following issues are framed:

- 1) Whether the suit is maintainable?
- 2) Whether the suit is barred by any law?
- 3) Whether the suit discloses any cause of action?
- 4) Whether the suit is bad for non-joinder or misjoinder of parties?
- 5) Whether there was any contract between the parties either oral or written? If so, what was the nature and extent of the contract or agreement?
- 6) Was there any breach of such agreement either by the plaintiff or the defendant?

- 7) Whether any of the parties defaulted in performance of their respective promise/promises?
- 8) Whether the dishonour of the cheques were acts of breach of agreement by the defendant?
- 9) Whether the plaintiff is entitled to the money as prayed for with interest?
- 10) Is the plaintiff entitled to the decree prayed for? What other relief/reliefs the plaintiff is entitled to?

The suit will appear in the list on 17<sup>th</sup> February, 2025 for witness action.

(SUGATO MAJUMDAR, J.)