

OD-6

ORDER SHEET

CS/203/2017

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

JAMSHEDPUR UTILITIES & SERVICES CO LTD (JUSCO)
VS
KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY (KMDA)

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : May 11, 2023.

Appearance:
Mr. Debargha Basu, Adv.
... for the plaintiff

The Court: The matter was listed on 11th April, 2023 but none appeared on behalf of the defendant and accordingly, the case was adjourned till 19th April, 2023. Again the matter was taken up on 1st May, 2023 but none appeared on behalf of the defendant and the plaintiff was directed inform the next date to the counsel for the defendant. When the matter is taken up today, counsel for the plaintiff submits that the plaintiff has informed the defendant through e-mail but in spite of receipt of information, none appears on behalf of the defendant.

Counsel for the plaintiff submits that the transaction between the plaintiff and the defendant is of commercial in nature arising out of tender process and prays for transfer of the suit to the Commercial Division of this Court.

Considered the submission made by the counsel for the plaintiff.
Perused the plaint and the averments.

This Court finds that the claim made by the plaintiff is of commercial in nature arising out of tender process and agreement entered into between the parties. Accordingly, CS/203/2017 is transferred to the Commercial Division.

The plaintiff is directed to take appropriate steps for compliance of all the provisions of the Commercial Courts Act within two weeks from the reopening of Court after Summer Vacation.

(KRISHNA RAO, J.)

RS