

OCD-9

ORDER SHEET

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

[COMMERCIAL DIVISION]

CS-COM/515/2024
[Old No. CS/128/2023]

SHIB SHANKAR RUNGTA PROP OF S S RUNGTA AND CO
-VS-
JAI JUTE AND INDUSTRIES LTD

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : June 25, 2024.

Appearance :
Ms. Swapna Choubey, Adv.
Mr. Udit Agarwal, Adv.
...for the plaintiff

The Court: The matter is listed today as 'To Be Mentioned' on the prayer made by the counsel for the plaintiff.

Counsel for the plaintiff has handed over the service report dated 24th January, 2024 issued by the Deputy Sheriff of Calcutta wherein it reveals that writ of summons was served through Bailiff on 12.10.2023 and through the postal service on 29.09.2023. Counsel for the plaintiff has also handed over the report issued by the Deputy Registrar (Legal) dated 15th March, 2024 wherein it reveals that the defendant has not entered appearance either in person or through the learned advocate.

Let both the reports be kept with the record.

Counsel for the plaintiff submits that as the defendant has received the writ of summons but failed to appear before this Court and to file written statement, she prays for fixing the matter as undefended suit.

In view of the submission made by the counsel for the plaintiff and after perusing the report, let CS-COM/515/2024 [Old No. CS/128/2023] be placed in the list of undefended suit.

The plaintiff is directed to file the Judge's Brief of Documents within three weeks.

The plaintiff is also directed to file evidence of the plaintiff's witness on affidavit within a week thereafter.

List the matter on 26th July, 2024 under the heading 'Undefended Suit' for witness action.

(KRISHNA RAO, J.)