

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

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: April 29, 2025.

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

Mr. D.N. Sharma, Sr. Adv.
Mr. Nilay Sengupta, Adv.
Mr. Sailendra Jain Adv.
Mr. Abhishek Jain, Adv.
Mr. Ayan Dutta, Adv.
...for the defendant.

1. Ms. Swapna Choubey, learned Advocate, is appearing for the plaintiff.

2. Mr. D. N. Sharma, learned Senior Advocate, is appearing for the defendant.

3. By an order dated 8th November, 2024, this Court has dismissed GA-COM/1/2024 wherein the defendant has prayed for extension of time to file written statement on the ground that the writ of summons was not served upon the defendant.

4. Being aggrieved with the said order, the defendant has preferred an appeal being no. APOT/383/2024 with CS-COM/515/2024 in GA-COM/1/2024. The Appellate Court by an order dated 16th December, 2024 had set aside the order dated 28th November, 2024 and directed the Postal Authority concerned to take immediate steps upon communication of

this order by the Deputy Sheriff and to ensure that the required document is made available to the Deputy Sheriff by 10th January, 2024.

5. In terms of the order passed by this Court, the Deputy Sheriff has communicated the order to the postal authorities and the postal authorities have submitted their report. On receipt of the report from the Postal Authority, Deputy Sheriff has forwarded the report before this Court.

6. To ascertain whether the writ of summons was served upon the defendant or not, the Seal Bailiff namely, Ranjit Chakraborty, in-charge CB, Kolkata GPO, 700001 and the person who has delivered the speed article consignment no. EW427172124IN to the defendant on 29th November, 2023 is required to be examined before this Court.

7. Issue subpoena upon Sri Ranjit Chakraborty, Seal Bailiff, the in-charge, CB, GPO, Kolkata and Mr. Manoj Kanti Dutta to appear before this Court to give evidence.

8. The plaintiff is directed to take appropriate steps for issuance of subpoena upon the above named persons for examination of the said persons before this Court.

9. Let the matter appear on 11th June, 2025 at 11.30 A.M.

(KRISHNA RAO, J.)

S.Mandi