

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 : 25th June, 2025.

Appearance:

Ms. Swapna Choubey, Adv.

Mr. Udit Agarwal, Adv.

Mr. Aditya Chakraborty, Adv.

... for the plaintiff

Mr. D.N. Sharma, Sr. Adv. (V.C)

...for the defendant.

1. Though the matter is fixed on 18th July, 2025 but the matter is listed on receipt of the report from the Master and Official Referee dated 24th June, 2025. From the report it reveals that as per the order passed by this Court dated 29th June, 2025, the Department has issued the Subpoena upon the learned Advocate on record of the plaintiff for service upon the concerned persons namely Mr. Ranjit Chakraborty, Seal Bailiff and Mr. Manoj Kanti Dutta, SO Naihati.
2. On 11th June, 2025, the Registrar, Original Side had submitted the report dated 10th June, 2025 stating that the Subpoena submitted separately issued upon the Mr. Ranjit Chakraborty and Mr. Manoj Kanti Dutta. It was also mentioned that the same has also been issued by the learned Advocate on record for the

plaintiff for service upon the Mr. Ranjit Chakraborty as well as Mr. Manoj Kanti Dutta. Though Mr. Ranjit Chakraborty and Mr. Manoj Kanti Dutta had not appeared before this Court in spite of issuance of Subpoena, this Court has passed an order directing the Master of this Court as well as Director of postal services, South Bengal Region to submit the report why the said persons have not appeared before this Court in spite of issuance of Subpoena.

3. When the learned Master of this Court in compliance of the order passed by this Court dated 11th June, 2025 has taken steps, found that the Subpoena was not served upon the said persons but only the Subpoena was issued to the learned Advocate on record for service but the service was not completed, thus, the Master has filed the instant report.
4. This Court finds that by an order dated 29th April, 2025 has directed for issuance of Subpoena upon the above named two persons but the Office of the learned Master has issued the said Subpoena to the learned Advocate on record for service. The said practice of the Office is deprecated. If any order is passed by this Court for issuance of summons or Subpoena or any notice by the Office, it is the duty of the Office to serve the notice, Subpoena or any summons through the office of Sheriff and not through the Advocate on record.
5. Accordingly, the learned Master is directed to serve the Subpoena upon Mr. Ranjit Chakraborty, Seal Bailiff and Mr. Manoj Kanti

Dutta, the Beat Postman posted at Naihati SO Post Office, Talpukur Road, Ward No. 23, Naihati through the Office of the Sheriff of this Court. Plaintiff is directed to file requisite process and process fee immediately.

6. Subpoena be issued upon the aforesaid two persons with the direction to appear before this Court on 29th July, 2025.
7. List the matter on 29th July, 2025 at 12:30 P.M.

(KRISHNA RAO, J.)