

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 : 19th September, 2025.

Appearance:

Ms. Swapna Choubey, Adv.
Mr. Udit Agarwal, Adv.
Mr. Navneet Sewak, Adv.
... for the plaintiff

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

1. The witness namely Manoj Kanti Dutta is present and has filed affidavit showing the reason why he has avoided to accept the Subpoena issued by this Court for his appearances as witness. Counsel for Mr. Manoj Kanti Dutta submitted that in the affidavit at Paragraph 5 Sub Paragraph (c) in the first line the date is to be read as August 31, 2025 instead of July, 31, 2025 and in the same paragraph in the sub-Para wherein the memo is enclosed the date is to be read as August 5, 2025 instead of February 5, 2025.

2. In view of the above, in the affidavit filed by Manoj Kanti Dutta at Paragraph 5 Sub-Clause 6 the date shall be read as August 31, 2025 and in the Sub-Para the date shall be read as August 5, 2025. Manoj Kanti Dutta was examined and cross-examined and discharged.
3. Counsel for the defendant submitted that the witness has specifically made a statement before this Court that the postal cover is received by one Dipankar Shaw of Jai Jute and Industries Ltd.
4. Accordingly, the defendant intends to examine the said witness in terms of the order passed by the Hon'ble Appellate Court dated 16th December, 2024.
5. In view of the above, the defendant is directed to take appropriate steps for furnishing requisites in the department for issuance of subpoena upon Mr. Dipankar Shaw who is alleged to have received the postal cover from the postal authorities having address "Jai Jute and Industries Limited (formerly: Nuddea Mills Company Ltd.) Kanthal Para, P.O. + P.S. – Naihati, Dist – 24 Pgs. (North), West Bengal – 743152.
6. Let the matter appear on 2nd December, 2025 at 3:00 pm for "Witness Action"

(KRISHNA RAO, J.)