

ORDER SHEET

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

CS/129/2015
IA No.GA/3/2024

M/S. BANWARI LAL PASARI
VS
M/S. ANANDILAL NARENDRA KUMAR & ORS.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : January 31, 2024.

Appearance:

Mr. Sarvapriya Mukherjee, Adv.
Mr. Arnab Sardar, Adv.
...for the plaintiff

Mr. Dhruva Ghosh, Sr. Adv.
Mr. Debmalya Ghosal, Adv.
Mr. Vivek Basu, Adv.
Ms. Ajeyaa Chowdhury, Adv.
...for the defendant Nos. 1, 2 and 3

Mr. U. S. Menon, Adv.
Mr. Abhirup Chakraborty, Adv.
...for the defendant Nos.4 & 5

The Court: Mr. Sarvapriya Mukherjee, learned advocate, is appearing for the plaintiff.

Mr. Dhruva Ghosh, learned Senior Advocate, is appearing for the defendant nos. 1, 2 and 3 and Mr. U. S. Menon, learned advocate, is appearing for the defendant nos. 4 and 5.

Plaintiff has filed an application being GA/3/2024 praying for amendment in the cause title and in the body of the plaint.

Counsel for the original defendant nos.1, 2 and 3 submits that the defendant nos. 2 and 3 merged with Orient Beverages Limited 225C, AJC

Bose Road, 3rd Floor, Kolkata-700020 but the plaintiff has only prayed for deletion of the name of the defendant no.3 and not the defendant no.2 and as such he may be given liberty to file affidavit-in-opposition in connection with GA/3/2024.

Considering the submission made by the counsel for the defendants, let affidavit-in-opposition be filed within two weeks. Reply thereto, if any, be filed within one week thereafter.

It is found from the record that the defendant nos. 1, 2 and 3 at the time of filing of the suit was a partnership firm now it has been converted into a proprietorship firm. Accordingly, the defendant no.1 is given liberty to file affidavit as proprietorship firm instead of partnership firm.

Let the matter appear on 29th February, 2024.

Mr. Souvik Ghosh, learned advocate, is given leave to file Vakalatnama on behalf of the defendant nos. 1.

(KRISHNA RAO, J.)