

OCD-4

ORDER SHEET

AS-COM/6/2024
IA No.GA-COM/1/2024, GA-COM/3/2024, GA-COM/4/2025,
GA-COM/5/2026

IN THE HIGH COURT AT CALCUTTA
ADMIRALTY JURISDICTION
(COMMERCIAL DIVISION)

PATANJALI FOODS LIMITED
VERSUS
THE OWNERS AND PARTIES INTERESTED IN THE VESSEL MT PHILIPPA
GLADYS (IMO NO.9500352)

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 30th June, 2026.

Mr. Ratul Das, Adv.
Mr. Dwip Raj Basu, Adv.
For the plaintiff.

Mr. K. Thaker, Sr. Adv.(VC)
Mr. Shaunak Mitra, Adv.
Mr. Shubrojoyoti Mookherjee, Adv.
Mr. Souvik Kundu, Adv.
Mr. Ruchir Goenka, Adv.
. . . for the defendant.

The Court : The suit has been brought into the list for necessary directions regarding the written statement to be filed by the defendant.

It is submitted by the defendant that the Writ of Summons is not yet served on the defendant. It is also the case of the defendant that Writ of Summons has not yet been lodged which is not disputed by the plaintiff.

The written statement has already been affirmed on 21st May, 2026. Since the suit arises out of a commercial dispute and there is a cut off date of 120 days from the date of receipt of the Writ of Summons for filing the written statement, the Courts are precluded from extending the time beyond

120 days and the right of the defendant to file the written statement gets forfeited, the defendant intends to file the written statement by waiving the service of the writ of summons. Keeping in mind such rigorous provisions, let the written statement be filed by the defendant by 7th July, 2026. The department shall accept the written statement affirmed on 21st May, 2026 if the same is in proper form and order and is presented for being filed within the extended date. Immediately after filing of the written statement, a copy thereof with legible annexures shall be served on the plaintiff and its Advocate.

In the aforesaid facts and circumstances, the suit is directed to go out of the list in the light of the order passed hereinabove.

(ARINDAM MUKHERJEE, J.)

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