

OD-6

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
IA NO. GA 6 OF 2024
IN
CS 247 OF 2021

IN THE MATTER OF:
GEETA GANESH PROMOTERS PVT. LTD.
VS
VINEET RUIA AND ANR.

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date : 8th February, 2024.

Appearance:
Mr. Jishnu Saha, Sr. Adv.
Mr. Satadeep Bhattacharyya, Adv.(VC)
Mr. Subhankar Chakraborty, Adv.
Mr. Saptarshi Bhattacharjee, Adv.
Ms. Ruchira Manna, Adv.
For plaintiff/respondent
Mr. Vineet Ruia, in person

The Court: This is an application for extension of time to file written statement by the defendants in a suit filed in the Ordinary Original Civil Jurisdiction of this Court. The Writ of Summons was received on 8th March, 2022 and this application has been filed only on 25th January, 2024. There is as such a delay as on the date of filing of the application of about 23 months. The grounds which are cited by the defendants for the delay in filing the Written Statement are totally unsatisfactory, yet for the ends of justice, the time is extended till 27th February, 2024 subject to payment of costs assessed at

Rs.10,000/-. Out of Rs. 10,000/-, Rs. 5000/- shall be paid to the plaintiffs and the balance sum of Rs. 5000/- shall be paid to the State Legal Services Authority to be kept earmarked for the benefit of the POCSO victims. The cost is to be paid prior to filing of the written statement.

The technical objection raised by the plaintiff that the defendant no. 1 cannot represent defendant no. 2 since he is himself appearing in person is ignored for the ends of justice for expeditious progress in the suit.

The defendants are free to file separate Written Statement or a joint Written Statement.

The department shall before accepting the Written Statement, if the same is in proper form and order, ascertain the payment of cost as directed by this order. The Written Statement shall be accepted only if the cost is paid within the time provided.

Nothing further remains to be adjudicated in this application.

Since I have not called for any affidavit, the allegations contained in the application are denied by the plaintiff.

The application being GA 6 of 2024 is, accordingly, disposed of.

(ARINDAM MUKHERJEE, J.)

Sb/