

OCD-2

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(COMMERCIAL DIVISION)

IA NO. GA 2 OF 2023
In
CS 250 OF 2021

JUPITER INTERNATIONAL LIMITED
Vs
NATIONAL INSURANCE COMPANY LIMITED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 16th January, 2023.

Appearance:
Mr. Debajyoti Datta, Adv.
Mr. Arijeet Doss Mullick, Adv.

Mr. Rohit Banerjee, Adv.
Ms. Sananda Ganguli, Adv.

The Court:- This is an application by the sole defendant, inter alia, for leave to enter appearance in the suit and take assistance of an advocate to cross-examine the plaintiff's witness. The necessity of this application arose as the defendant did not enter appearance within the time provided for the same and had also not filed the written statement. As a consequence whereof 120 days period from the date of receipt of the writ of summons expired which resulted in the forfeiture of defendant's right to file the written statement.

Considering the submissions made by the parties and the materials on record, I grant the defendant leave to enter appearance by Thursday (19-01-2023) and the liberty to cross-examine the plaintiff's witness as and when the same is taken up.

The department shall accept the vakalatnama/warrant of attorney, if filed within the time provided.

Nothing further remains to be adjudicated. The application being GA 2 of 2023 is, accordingly, disposed of without any order as to costs.

(ARINDAM MUKHERJEE, J.)

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