

ODC 9

ORDER SHEET
CS/250/2021
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

JUPITER INTERNATIONAL LIMITED
VS
NATIONAL INSURANCE COMPANY LIMITED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 9th February, 2023.

Appearance:

Mr. Rohit Banerjee, Adv.
Ms. Sananda Ganguli, Adv.
. . .for the plaintiff.

Mr. Debajyoti Datta, Adv.
Mr. Arijeet Doss Mullick, Adv.
. . .for the defendant.

The Court: The defendant has filed its Vokatnama pursuant to the leave granted by this Court. It is submitted by the sole defendant that the suit can no more be tried as an undefended suit. The defendant has lost its right to file written statement on expiry of 120 days from the date of service of the summons. The suit is, therefore, remain in the undefended list in view of the provisions of Rule 3 of Chapter IX of the Original Side Rules of this Court. The suit cannot also be directed to be taken out of the undefended list under the provisions of Rule 27 of Chapter X of the Original Side Rules of this Court.

Let the suit go out of the list for the time being and the papers be set down to the department.

The suit shall be included in the Peremptory Undefended list if not already included and be placed in the list of this Court after the Registrar, Original Side, is satisfied on scrutiny that the suit is ready in all respect for witness action.

(ARINDAM MUKHERJEE, J.)

sp/b.pal.