

ODSL-1

ORDER SHEET

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

CS/218/2024
IA NO. GA/1/2024, GA/3/2024

TAGGAS INDUSTRIAL DEVELOPMENT LTD
VS
SEWNARAYAN KHUBCHAND AND ANR

&

CS/219/2024
IA NO. GA/1/2024, GA/3/2024

SOMNATH ENCLAVE PVT LTD
VS
SEWNARAYAN KHUBCHAND AND ANR

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : February 14, 2025.

Appearance:

Mr. Mainak Bose, Sr. Adv.
Mr. Sabyasachi Sen, Adv.
...for the plaintiff

Mr. Rajarshi Dutta, Adv.
Mr. Avijit Dey, Adv.
...for the defendant No. 1

Mr. Sakya Sen, Sr. Adv.
Mr. Biswajib Ghosh, Adv.
Mr. Avirup Chatterjee, Adv.
Mr. Rishov Das, Adv.
... for the defendant No. 2

The Court: Mr. Mainak Bose, learned Senior Counsel, is appearing
for the plaintiff.

Mr. Rajarshi Dutta, learned Counsel, is appearing for the defendant
No. 1.

Mr. Sakya Sen, learned Senior Counsel, is appearing for the
defendant No. 2.

Counsel for the defendant no. 2 has mentioned the matter upon notice to the plaintiff. Counsel for the defendant no. 2 submits that by an order dated 13th February, 2025, this Court in page no. 2 last paragraph has ordered that “Interim order granted earlier be continued till 19th March, 2025 or until further orders, whichever is earlier” but there is no interim order granted earlier and as such the said paragraph is required to be deleted.

Learned Counsel for the plaintiff submits that there is no specific order of injunction but due to undertaking given by the defendant no. 2, this Court has not passed any interim order.

Counsel for the plaintiff draws the attention of this Court to the order dated 9th December, 2024 wherein the defendant no. 2 has submitted that before this Court that the defendant no. 2 is not having any intention to evict any person without due process of law.

Counsel for the defendant no. 2 submits that the said submission cannot be taken as an undertaking.

Considering the submission made by the counsel for the parties, the last paragraph of the order dated 13th February, 2025 is deleted but it is made clear that the learned Counsel for the defendant no. 2 still submits that the defendant no. 2 is not having any intention to evict any person without due process of law.

(KRISHNA RAO, J.)