

IA No. GA/1/2022
In
CS/182/2022
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
[COMMERCIAL DIVISION]

MAADHAWA REALPRO PVT. LTD.
VERSUS
SUSHILA JAIN AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 24th April, 2023.

Appearance:
Mr. Rupak Ghosh, Adv.
Mr. Kuldeep Mallick, Adv.
Mr. Arun Kumar Upadhyay, Adv.
Mr. Dyutimoy Paul, Adv.
Mr. Shantanu Mishra, Adv.
For the plaintiff.

Ms. Noelle Banerjee, Adv.
Mr., Sidhartha Sharma, Adv.
Ms. Shalini Basu, Adv.
For the defendant no.1.

The Court :- There is an utter confusion in this matter created by the defendant no.1 while filing affidavit in opposition to this application. Initially an affidavit affirmed on 3rd April, 2023 was served on the plaintiff. On the basis thereof the plaintiff obtained a direction to file a reply thereto. The affidavit in reply was affirmed on 12th April, 2023. On the same very day the plaintiff/petitioner received an electronic mail from the defendant no.1 saying that the affidavit in opposition affirmed on 3rd April, 2023 and served on the plaintiff/petitioner was by mistake it should be discarded.

The defendant no.1 has now affirmed another affidavit on 19th April, 2023. The said affidavit filed in Court today is taken on record.

Without prejudice to the rights and contentions of the plaintiff/petitioner, if any, in respect of any admission said to have made in the first affidavit affirmed on 3rd April, 2023, the plaintiff/petitioner shall be at liberty to use an affidavit in reply to the affidavit in opposition affirmed on 19th April, 2023. Let such affidavit in reply be filed by 10th May, 2023.

Let this matter appear on 15th May, 2023.

The interim order already passed is extended till 30th June, 2023 or until further orders whichever is earlier.

(ARINDAM MUKHERJEE, J.)