

OC-10

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/412/2024
[OLD NO CS/182/2022]
IA NO: GA/3/2023
GA-COM/4/2024

MAADHAWA REALPRO PVT LTD
VS
SUSHILA JAIN AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 4th November, 2024.

Appearance :

Mr. Kuldeep Mallick, Adv.

Mr. P. Paul, Adv.

Mr. S. Mishra, Adv.

...for the plaintiff.

Mr. Javed K Sanwarwala, Adv.

Mr. Sarosij Dasgupta, Adv.

Miss. Madhurima Halder, Adv.

Mr. Satriq A. Sanwarwala, Adv.

...for the defendant No. 1

The Court: Mr. Kuldeep Mallick, learned Counsel, is appearing for the plaintiff and Mr. Javed K Sanwarwala, learned Counsel, is appearing for the defendant No. 1.

Counsel for the plaintiff has filed an application being GA/3/2023 praying for judgement upon admission.

Counsel for the defendant has filed an application being GA-COM/4/2024 praying for rejection of the plaint.

Counsel for the defendant has argued the matter in connection with GA-COM/4/2024.

While giving reply by the learned Counsel for the plaintiff in connection with GA-COM/4/2024 this Court finds that the plaintiff has relied upon the transaction made between the plaintiff and the defendant which is appearing at page 80 of GA-COM/4/2024 but from the said memo of receipt it is not cleared the bank account from which the amount was transferred in the name of the plaintiff or in the name of Madhav Real Estate Company Private Limited having PAN No. AAGCM9123R.

Counsel for the plaintiff submits that the details of the bank account has already been disclosed by the plaintiff in an application being GA/2/2022. It is submitted that the said GA/2/2022 has already been disposed of by this Court.

Counsel for the plaintiff further submits that to dispose the present application, case record of GA/1/2022 is also required to be gone into.

Accordingly, the department is directed to place the record of GA/1/2022 as well as GA/2/2022 before this Court on the next date fixed. If the record is placed, the defendant is at liberty to inspect the record.

Let the matter appear on 18th November, 2024 as part heard under the same heading.

(KRISHNA RAO, J.)

Sbghosh