

OCD-16

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/419/2024
[Old No. CS/196/2022]
IA No. GA/1/2022

NATIONAL INSURANCE COMPANY LIMITED
-VS-
HIMADRI SPECIALTY CHEMICAL LTD

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: January 24, 2024.

Appearance:
Mr. Shiv Shankar Banerjee, Adv.
Ms. Dolon Dasgupta, Adv.
Ms. Sutapa Das, Adv.
...for the plaintiff

Mr. Anirban Ray, Sr. Adv.
Mr. Shayak Mitra, Adv.
Ms. Pritha Bhaumik, Adv,
...for the defendant

The Court : Mr. Shiv Shankar Banerjee, learned Advocate, is appearing for the plaintiff.

Mr. Anirban Ray, learned Senior Advocate, is appearing for the defendant.

It is found from the record that the suit is fixed for framing of issues.

The plaintiff has also filed an application being GA/1/2022 praying for interim order as well as for appointment of Special Officer/ Receiver to ascertain the present market rent of the suit premises in question.

Considered the prayer made in the application being GA/1/2022 and the prayer in the suit. It is found that in the suit also the plaintiff has prayed for mesne profit till the recovery of the possession. This Court is of the view that suit is at the stage of framing of issues and if the plaintiff will get a decree, the Special Officer can be appointed to ascertain the mesne profit. Thus, this Court is of the view that GA/1/2022 be kept the record and will be taken up for hearing at the time of final hearing of the suit.

Counsel for the respective parties prays for fixing another date for framing of issues. Parties are directed to exchange their suggested issues in the meantime.

Let the matter appear on 31st January, 2025 for framing of issues.

(KRISHNA RAO, J.)