

OD- 8

ORDER SHEET

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

CS/319/2013
IA NO: GA/1/2013(Old No:GA/3345/2013),
GA/10/2019(Old No:GA/2881/2019), GA/11/2026

RAJ SHEKHAR AGRAWAL AND ANR
VS
PRAGATI 47 DEVELOPMENT LTD AND ORS

BEFORE:
THE HON'BLE JUSTICE ANANYA BANDYOPADHYAY
Date: 5th February, 2026

Appearance:

Mr. Meghnad Dutta, Adv.
Mr. S. Rudra, Adv.
...for the plaintiffs

Mr. Jishnu Chowdhury, Sr. Adv.
Mr. Sarvapriya Mukherjee, Adv.
Mr. Rurajit Sarkar, Adv.
Ms. Tamogthna Saha, Adv.
...for defendant nos. 12 & 13

The Court:- The Learned Advocate representing the defendant nos.12 and 13 submitted to have filed an application being GA/11/2026, which, inter alia, stated that the disputes agitated in the instant suit primarily concern commercial transaction and this Court has no jurisdiction to pass any order and the matter should be tried by the Court of competent jurisdiction.

The Learned Advocate representing the plaintiff vehemently opposed such contention and sought for time to file affidavit-in-opposition to the instant application.

Under such circumstances, the order dated 16th December, 2025 is recalled. Let the suit be contested as of now till the issue is decided as to

whether this Court has jurisdiction to deal with the cause of action or to be placed before the Court of appropriate jurisdiction.

Next date be fixed on 27th February, 2026 for filing affidavit-in-opposition.

Affidavit-of-service filed by the Learned Advocate representing the defendant Nos. 12 and 13 be kept on record.

The Learned Advocate representing the plaintiffs submits to have filed an application being GA/2881/2019, however, inadvertently misplaced the copy of the same.

Learned Advocate representing the defendant nos. 12 to 13 did not receive a copy of the aforesaid application. The respective parties are to approach the department to seek a copy of the application being GA/2881/2019 after compliance of requisite formalities.

(ANANYA BANDYOPADHYAY, J.)

DB