

OD-15

ORDER SHEET

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

CS/232/2024

STEEL AUTHORITY OF INDIA LIMITED
-VS-
KRISHNA KUMAR TIWARI AND ANR

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : December 19, 2024.

Appearance:

Mr. Chayan Gupta, Adv.

Mr. Dwip Raj Basu, Adv.

...for the plaintiff

The Court: Mr. Chayan Gupta, learned advocate, is appearing for the plaintiff.

The plaintiff has filed the present suit praying for leave under Order II Rule 2 of the Code of Civil Procedure as well as leave under Clause 12 of the Letters Patent.

The plaintiff has filed the suit for declaration that the lease deed dated 28th December, 2012 is void, non est and inoperative and for perpetual injunction.

Counsel for the plaintiff submits that though the deed has been registered with the Additional Registrar of Assurance-III, Kolkata within the jurisdiction of this Court but only for the abundant caution the plaintiff has prayed for leave under Clause 12 of the Letters Patent and also prayed for leave under Order II Rule 2 of the Code of Civil Procedure on the ground that though the plaintiff has challenged the deed dated 28th December, 2012

as null and void but the plaintiff may take appropriate steps for initiation of suit for recovery of possession against the defendant.

Considered the submission made by the counsel for the plaintiff and perused the pleadings.

Leave under Order II Rule 2 of the Code of Civil Procedure as well as leave under Clause 12 of the Letters Patent is granted.

The plaint is admitted subject to scrutiny by the department.

(KRISHNA RAO, J.)