

ORDER SHEET

CS/250/2011
IA NO. GA/4/2022

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

SANJAY JHUNJHUNWALA
-VS-
MILAP CHORARIA & ORS.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : January 29, 2024.

Appearance:
Mrs. Manju Agarwal, Adv.
Ms. Anju Manot, Adv.
Mr. Rishi Agarwal, Adv.
... for the plaintiff

Mr. Milap Choraria
(appears through video conference)
... defendant no.1

Mr. Dipendra Nath Chunder, Adv.
Ms. Sonali Ghosh, Adv.
... for the defendant no. 2

The Court: Mrs. Manju Agarwal, learned counsel, is appearing for the plaintiff. Mr. Milap Choraria, the defendant no.1, is appearing in person through virtual mode. Mr. Dipendra Nath Chunder, learned counsel, is appearing for the defendant no.2.

The defendant no.1 has filed an application being GA/4/2022 for dismissal of the suit for non-lodging of writ of summons by the plaintiff.

Since the month of September, 2023 the plaintiff is taking time for filing affidavit-in-opposition. The matter was listed on 30th November, 2023 and on the said date also counsel for the plaintiff has prayed for time to file affidavit-in-opposition in connection with GA/4/2022 and, accordingly, this

Court has granted three weeks time to file affidavit-in-opposition. Today when the matter is called, learned counsel for the plaintiff again prayed for time for filing affidavit-in-opposition.

Considered the submission made by the counsel for the respective parties.

This Court finds that since the month of September 2023, the plaintiff is taking time for filing affidavit-in-opposition in connection with GA/4/2022. Time to file affidavit-in-opposition is extended subject to payment of costs of Rs.25,000/-. Let the said amount be paid to the defendant no.1 within a week.

Let affidavit-in-opposition be filed within two weeks. Reply thereto, if any, be filed within a week thereafter.

List the matter on 21st February, 2024 at 1:00 pm.

(KRISHNA RAO, J.)