

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IA No. GA-COM/3/2024
[Old No. CS/221/2023]
In CS-COM/557/2024

CELICA VENTURES
-VS-
ULTIMA REFRIGERATION AND ORS.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : August 30, 2024.

Appearance:

Ms. Shreyashee Das, Adv.
Mr. Himanshu Bhawsinghka, Adv.
Mr. Rohan Kumar Thakur, Adv.
... for the plaintiff

Mr. Akash Munshi, Adv.
Mr. Souvik Kundu, Adv.
...for the defendant no.5

The Court: Ms. Shreyashee Das, learned advocate, is appearing for the plaintiff.

Mr. Akash Munshi, learned advocate, is appearing for the defendant no.5.

The defendant no.5 has filed an application being GA-COM/3/2024 praying for extension of time to file written statement.

The defendant no.5 says that the writ of summons was served upon the defendant no.5 on 18th April, 2024. After receipt of the writ of summons, the defendant no.5 tried to collect all the connected documents to ascertain with regard to the calculation and the estimate of the money received by the defendant no.5 due to which the defendant no.5 could not file the written statement within the prescribed period of 30 days.

Counsel for the defendant no.5 submits that after receipt of the connected documents, the defendant no.5 has prepared the written statement and affirmed on 13th August, 2024 i.e. the within extended time of 120 days and immediately the defendant no.5 has filed the present application for extension of time to file written statement.

Counsel for the plaintiff does not raise any objection and submits that the present application as well as the written statement has been affirmed by the defendant no.5 within the extended period of 120 days and he has no objection if this Court will extend the time for filing written statement.

In view of the submission made by the counsel for the respective parties, this Court finds that the plaintiff has not raised any objection for acceptance of the written statement and the defendant no.5 has already affirmed written statement before the extended period of 120 days.

Thus, GA-COM/3/2024 is allowed subject to payment of costs of Rs.5,000/- to the plaintiff within a week from date.

The department is directed to accept the written statement, if it is otherwise completed, subject to payment of costs of Rs.5,000/-.

GA-COM/3/2024 is disposed of.

(KRISHNA RAO, J.)