

OD-17

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

CS/116/2012

SURYA ALLOY INDUSTRIES LTD.
VS.
GARDEN REACH SHIPBUILDERS & ENGINEERS LTED & ANR.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date: 21st January, 2022.

[Via Video Conference]

The Court: None appears on behalf of the plaintiff. Nor is any accommodation prayed for on his behalf.

By an order dated 23 December, 2021, this Court had directed the plaintiff to cure and rectify the defects which had been pointed out during scrutiny of the plaint as far back as in 2012, within a period of one month, subject to payment of costs. This suit has appeared on the returnable date.

It appears from the Report filed by the Department that the plaintiff has taken no steps in the suit notwithstanding the order dated 23 December, 2021.

Hence, I am of the view that it is evident that the conduct of the plaintiff has been indolent, casual and negligent. There can be no earthly reason as to why the plaintiff had taken no steps in curing the defects which had been pointed out during the scrutiny of the plaint by the Department as far back as in 2012.

In the absence of any cause, far less good cause, CS 116 of 2012 stands dismissed for non-compliance of the order dated 23 December, 2021 and for non-prosecution.

All interim orders stand automatically vacated.

(RAVI KRISHAN KAPUR, J.)