

ODC-3

CS/202/2022
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
[COMMERCIAL DIVISION]

BAYNEE INDUSTRIES AND ANR.
VS
RAJIV ROSHA

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 29th August, 2022.

Appearance:
Mr. Ritoban Sarkar, Adv.
Mr. S. Basu, Adv.
Mr. S. Dey, Adv.
...for plaintiff.

The Court : The plaintiff seeks withdrawal of the suit on the ground of formal defects before it has been formally lodged.

Leave is granted to the plaintiff to file a fresh suit on the self same cause of action. The Court fees tendered would be returned to the plaintiff to enable the plaintiff to use the same in respect of a new plaint that must be lodged within fourteen days from date. In default of the new plaint being lodged within such time, the plaintiff will lose the liberty to use the same Court Fees.

Accordingly, CS 202 of 2022 is permitted to be withdrawn with liberty to file afresh on the self same cause.

(RAVI KRISHAN KAPUR, J.)

SK.