

ORDER SHEET
CS/321/2014
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

DILIP KUMAR JAIN, TRADING AS PET & MINERAL
VS
TRISHALA ENTERPRISE

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 21ST JANUARY, 2022.

The Court: None appears on behalf of the plaintiff. Nor is any accommodation prayed for on their 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 2014, 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 2014.

In the absence of any cause, far less good cause, CS 321 of 2014 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.)