

ORDER SHEET  
CS/341/2015  
IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE

YES BANK LTD & ANR.  
VS  
SYED MOHAMMAD SAHABUDDIN & ORS.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 21<sup>ST</sup> JANUARY, 2022.

Appearance:  
Mr. Paritosh Sinha, Adv.  
..for the State

The Court: None appears on behalf of the plaintiffs. Nor is any accommodation prayed for on their behalf. The State of West Bengal is represented.

By an order dated 23 December, 2021, this Court had directed the plaintiffs to cure and rectify the defects which had been pointed out during scrutiny of the plaint as far back as in 2015, 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 plaintiffs have 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 plaintiffs has been indolent, casual and negligent. There can be no earthly reason as to why the plaintiffs 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 2015.

In the absence of any cause, far less good cause, CS 341 of  
2015 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.)