

22.06.2023
Court No. 19
Item no.08
CP

C.O. 678 of 2023
With
CAN/1/2023 (not in the file)

Jangipur Bengal Mega Food Park Ltd.
Vs.
Spot Light Detective Services Pvt. Ltd.

Mr. Avirup Mondal
Mr. A. Z. Mondal
Ms. Ahana Ghosh Mondal

....for the petitioner.

Mr. Vinay Kumar Purohit

.....for the opposite party.

This court finds reason to modify the order dated February 3, 2023, passed by the learned Civil Judge (Senior Division) at Sealdah in Money Suit No. 55 of 2018. The learned court by the order impugned held that the application for rejection of the plaint will be taken up at the time of passing of judgment.

Having heard the learned counsel for the respective parties, this court is of the view that the order needs modification to the effect that the application under Order 7 Rule 11 of the Code of Civil Procedure shall be taken up and disposed of along with the main suit and the point of maintainability raised in the said application shall be the first issue in the suit amongst the other issues which the learned court may frame.

This suit is at the stage of cross-examination and, hence, the court directs that the suit should proceed expeditiously and the entire suit shall be disposed of within the next four months.

The revisional application is accordingly disposed of. Connected application, if any, is also disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)