

October 10, 2023
Sl. No.18
Court No.19
s.biswas

CO 3576 of 2023
Sresth Products Private Limited
vs.
Soma Singha Roy

Mr. Pratyush Patwari

... for the petitioner

The order dated August 30, 2023, passed by the learned Judge, 12th Bench, City Civil Court at Calcutta, in Title Suit No.1155 of 2022, does not suffer from any material irregularity.

The very fact that the learned court below directed the plaintiff to serve a copy of the plaint and the injunction application along with application under Section 151 of the Code of Civil Procedure upon the changed advocate of the defendant, does not in any way indicate that the date of service of the written statement and issuance of summons upon the defendant would be the date on which such copies would be supplied to the learned Advocate on the basis of the order impugned. It is probably because the changed advocate did not have the papers that such order was passed, for quick and effect adjudication of the suit.

It is already on record that the written statement has not been filed on various dates earlier.

The learned court below shall dispose of the application under Section 151 of the Code of Civil Procedure within a period of two months from the

next date fixed in accordance with law and proceed with the disposal of the suit strictly in accordance with law.

The petitioner is directed to serve a copy of this order upon the opposite party or the learned advocate appearing for the opposite party in the learned court below.

The revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)