

OCD-4

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

CS/266/2019

BHAGATPUR TEA COMPANY LIMITED
VS
SAVITRI ENTERPRISES AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 12TH JULY, 2023.

Appearance:
Mr. Chayan Gupta, Adv.
Mr. Rajesh Upadhyay, Adv.
...for the defendants.

The Court: Counsel for the defendant is present.

None appears on behalf of the plaintiff.

By an order dated 28th March, 2023 this Court has directed the parties to complete the discovery and inspection of the documents within three weeks and to file admission and denial of the documents within a week thereafter and parties were also directed to exchange their suggested issues.

When the matter was listed on 2nd May, 2023, as per the prayer made by the Counsel for the plaintiff, the time was extended for discovery and inspection of the documents and for compliance of the order dated 28th March, 2023.

Again the matter was fixed on 19th June, 2023 when none appeared on behalf of the plaintiff and it was informed that Counsel for the plaintiff

has not disclosed the document to the defendant to complete the discovery and inspection of the documents and for the interest of justice, the case was adjourned till 29th June, 2023.

On 30th June, 2023 again the matter was taken up and on the said date also none appeared on behalf of the plaintiff and it was further informed by the Counsel for the defendant that the plaintiff has not come forward to disclose the document so that the defendant can take inspection of the document and for the interest of justice, the case was adjourned till today.

Today when the matter is called, none appears on behalf of the plaintiff. No accommodation is sought for.

Counsel for the defendant submits that the plaintiff has not come forward for disclosing the document for which the defendant is not in a position to complete the inspection of the documents.

Considering the various orders and submissions made by the Counsel for the defendant, this Court finds that the plaintiff is not interested to proceed with the matter and thus, CS No. 266 of 2019 is dismissed for default.

Interim order, if any, stands vacated.

(KRISHNA RAO, J.)