

OCD-3

ORDER SHEET

CS/212/2018

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
[Commercial Division]

HARJI ENGINEERING WORKS PVT. LTD.
-VS-
HINDUSTAN STEELWORKS CONSTRUCTION LTD.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : March 23, 2023.

Appearance:

Mr. Shashwat Nayak, Adv.

Mr. Santosh Kr. Ray, Adv.

Ms. Antalina Guha, Adv.

... for the defendant

The Court: Counsel for the defendant is present.

None appears on behalf of the plaintiff.

It is found from the record that since 16th January, 2023 no one is appearing on behalf of the plaintiff and only on 30th January, 2023 counsel for the plaintiff was present and on 2nd March, 2023 a final opportunity was given to the plaintiff to complete the discovery and inspection of the documents and for filing affidavit of admission and denial within two weeks and accordingly, the matter is fixed today. Today also when the matter is called, none appears on behalf of the plaintiff and no accommodation is sought for.

Counsel for the defendant submits that in spite of the order passed by this Court on 2nd March, 2023, the plaintiff has not come forward for inspection of the documents nor the plaintiff has disclosed documents for inspection.

Considering the material facts on record, this Court finds that the plaintiff is not interested to proceed with the suit and accordingly, this Court has no other option but to dismiss the suit for default.

Accordingly, CS/212/2018 is dismissed for default.

Interim order, if any, shall stand vacated.

(KRISHNA RAO, J.)

RS