

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

CS/229/2016
IA No. GA/6/2022

CAPITAL CONSTRUCTION COMPANY
-VS-
RAJAY BANERJEE & ORS.

RVWO/23/2022
IA No. GA/1/2022

RAJAY BANERJEE
-VS-
CAPITAL CONSTRUCTION COMPANY

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: March 1, 2023.

Appearance:

Mr. Abhrajit Mitra, Sr. Adv.
Mr. Aritra Basu, Adv.
Mr. Abhijit Sarkar, Adv.
Mr. Souradip Banerjee, Adv.
Mr. Avikchitta Kundu, Adv.
Ms. Abhipiya Sarkar, Adv.
...for the plaintiff

Mr. Jayanta Sengupta, Adv.
Mr. Sayak Mitra, Adv.
Mr. Sagnik Basu, Adv.
Ms. Nidhi Bahal, Adv.
Mr. Subhrojyoti Dey, Adv.
Mr. Samik Chatterjee, Adv.
...for the defendant nos. 1 and 2

The Court: Counsel for the petitioner is present.

At the time of hearing, learned senior counsel Mr. Abhrajit Mitra submits that if the defendant nos.1 and 2 will file written statement within a specific time then the plaintiff has no objection for recalling of the order and giving an opportunity to the defendant nos. 1 and 2 to file written statement.

Counsel for the defendant nos. 1 and 2 submits that they will file the written statement within three weeks. He further submits that he is not having the copy of the plaint and the documents.

Learned senior advocate Mr. Mitra submits that in course of the day the advocate-on-record will serve the copy of the plaint along with the documents to the counsel for the defendant nos. 1 and 2.

Counsel for the defendant nos. 1 and 2 submits that as he has not entered appearance by filing a Vakalatnama on behalf of the defendant nos. 1 and 2, he may be given liberty to file a Vakalatnama within two weeks.

In view of the submission made by the respective parties, order dated 27th June, 2022 passed in CS/229/2016 is recalled only with regard to defendant nos.1 and 2 subject of filing written statement by the defendant nos.1 and 2 within a period of three weeks from today. Leave is also granted to the counsel for the defendant nos. 1 and 2 to file their Vakalatnama within two weeks from date.

As the defendant no. 3 has not come forward for recalling of the order and for extension of time for filing written statement, let the suit be proceeded undefended against the defendant no.3.

RVWO/23/2022 along with GA/1/2022 and GA/6/2022 are disposed of.

Let CS/229/2016 appear on 27th March, 2023 under the heading 'To Be Mentioned'.

(KRISHNA RAO, J.)