

OCD-1

ORDER SHEET

CS 220 of 2023
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
(COMMERCIAL DIVISION)

ARUNODAY HOLDING PRIVATE LIMITED
VS.
IDEAL REAL ESTATES PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 23rd November, 2023.

Mr. Ritoban Sarkar, Ms. Vedika Sureka, Advocates for the plaintiff.

The Court : At the time of presentation of the plaint the plaintiff although has prayed for dispensation of formalities under Section 12A of the Commercial Courts Act, 2015 but submits that the plaintiff is desirous in going for pre-institution mediation.

In the aforesaid facts and circumstances, the plaint is directed to be returned along with the court fees. It will be open to the plaintiff if otherwise permissible in law to use the court fees paid for instituting this suit in a subsequent suit between the same parties after exhausting the pre-institution mediation mechanism. The department is directed to de-register the plaint and remove the number from the records so that the plaint is not shown as pending.

(ARINDAM MUKHERJEE, J.)