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CS 295 of 2022
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

OM EXIM PRIVATE LIMITED
VS.
GREEN ORBIT APPARELS PVT. LIMITED

BEFORE:

The Hon'ble JUSTICE Arindam Mukherjee

Date : 13th January, 2023.

Mr. Jayak Kr. Gupta, Adv.
Mr. Pawan Kumar Jajodia, Adv.
.for the plaintiff

The Court :-The plaintiff is seeking a decree for a sum of Rs.18,60,472.13p comprising of Rs.12,78,306.32p as principal sum and Rs.5,82,165.81p on account of interest. The plaintiff has also sought for further interest. The plaintiff's claim arises out of unpaid price of goods sold and delivered. In view of the provisions of Section 2(c)(xviii) of the Commercial Courts Act, 2015 the plaintiff's claim arises out of a commercial dispute. The value of the suit is more than Rs.12,00,000/-. In view of the aforesaid facts and circumstances, this suit is required to be filed in the commercial division of this Court, if otherwise permissible in law.

The plaint is directed to be returned to the plaintiff through its recorded Advocate. Since the suit has not entered the records of this Court except being filed in the computer department, the court fees paid for filing the suit be also

returned to the plaintiff for being used to file a suit in the commercial division, if so advised against the same defendant.

(Arindam Mukherjee, J.)

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