

OCD-12

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IP-COM/24/2024

M/S ANIK MILK PRODUCTS PVT LTD.
VS
ASHOK KUMAR JOHN DOE

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : August 30, 2024.

Appearance :

Ms. Susrea Mitra, Adv.
Mr. Amandeep Singh, Adv.
Mr. Riyanshu Agarwal, Adv.
Ms. Bhawna Tekriwal, Adv.
... for the plaintiff

The Court: Ms. Susrea Mitra, learned counsel, is appearing for the plaintiff.

Though the matter is fixed today for presentation of plaint but the learned counsel for the plaintiff submits that there are several defects which cannot be cured by way of amendment and as such learned counsel for the plaintiff prays for withdrawal of the suit with liberty to file afresh on the same cause of action.

Counsel for the plaintiff submits that the plaintiff has filed the suit and deposited court fees and she prays for refund of the court fees so that the plaintiff can use the said court fees in filing the subsequent suit.

In view of the submission made by the counsel for the plaintiff, IP-COM/24/2024 is dismissed as withdrawn with liberty to file afresh on the same cause of action.

The department is directed to refund the court fees to the plaintiff so that the same can be used in filing the subsequent suit.

(KRISHNA RAO, J.)

RS