

OD-1

ORDER SHEET

CS/205/2024

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

TAMRA DHATU UDYOG PVT. LTD.
VS
ITI LIMITED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : October 4, 2024.

Appearance:

Mr. Ratul Das, Adv.

Mr. Saurav Jain, Adv.

... for the plaintiff

The Court: Mr. Ratul Das, learned Advocate, is appearing for the plaintiff.

The matter is listed today as "Presentation of Plaintiff". When the matter is called, learned counsel for the plaintiff submits that the transaction between the plaintiff and the defendant is commercial in nature but inadvertently, the plaintiff has filed the present suit before this Court.

Counsel for the plaintiff further submits that the plaintiff has also initiated pre-institution mediation process and non-starter report is submitted and prays for return of plaint with liberty to file before the appropriate Court.

In view of the submission made by the counsel for the plaintiff, the plaint is returned to the plaintiff with liberty to file before the appropriate forum.

The department is directed to refund the Court fee used in the present suit to the plaintiff and the plaintiff is given liberty to use the Court fee in the future suit which the plaintiff will file in the Commercial Division between the same parties.

As the plaint has been returned, CS/205/2024 shall be treated as disposed of.

(KRISHNA RAO, J.)

RS