

15.12.2025
Court No.06
Item no.157
CP

C.O. No. 2689 of 2025

Bowreah Jute Mills Pvt. Ltd.
Vs.
Gloster Limited & Ors.

Mr. Saptansu Basu, Sr. Advocate
Mr. Rahul Karmakar
Mr. S. Banerjee

.....for the petitioner.

Mr. Meghnad Dutta
Mr. S. Rudra

.....for the opposite party/ plaintiff.

Mr. Jayanta Samanta

.....for the State.

Despite service no one appears for the defendant No. 3.

The order impugned is set aside on the ground that the application which was allowed was not in the nature of removal of the suit from the ex parte board.

The petitioner is the defendant No. 1. The defendant no. 3 filed an application seeking leave of the Court to file an application in the future, for removal of the suit from the ex parte board. The learned court removed the suit from the ex parte board against the defendant No. 3 without

considering that, no such prayer of removal had been made.

The defendant no. 3 is granted liberty to file an application with necessary pleadings and averments stating why the suit should be removed from the ex parte board and the defendant no. 1 and the plaintiff shall be at liberty to take steps in accordance with law before the learned trial judge, by dealing with such application.

Such application shall be filed within two weeks after reopening of the court after the X-Mas vacation and if such application is not filed, the suit shall proceed ex parte against the defendant no. 3.

The revisional application is disposed of accordingly. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)