

OCD-13

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/13/2025
GA-COM/1/2025

AONE AGRO PRODUCTS PVT LTD.
VS
ADM AGRO INDUSTRIES KOTA AND AKOLA PVT LTD AND ANR.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 7th March, 2025.

Appearance :

Mr. Abhidipta Tarafdar, Adv.

Mr. Dipak Dey, Adv.

Mr. Dipanjan Dey, Adv.

...for the plaintiff

Mr. Sakya Sen, Sr. Adv.

Mr. Niladri. Bhattacharjee, Adv.

Mr. Niraj Singh, Adv.

Mr. Soham Bandyopadhyay, Adv.

Ms. M. Ghosh, Adv.

...for the defendant.

The Court: Mr. Abhidipta Tarafdar, learned Counsel, is appearing
for the plaintiff.

Mr. Sakya Sen, learned Senior Advocate, is appearing for the
defendant.

Counsel for the plaintiff has handed over a communication dated
5th March, 2025 by directing the advocate-on-record for the plaintiff that
intimating as follows:

“Plaintiff seeks to withdraw CS-COM/13/2025 while reserving its
right to raise all the issues raised in the captioned Suit, in the
Suit filed by Defendant ADM Agro Industries Kota And Akola Pvt
Ltd before the Ld. Trial Court at Gurugram being Suit No.

CS/118/2024. Withdrawal of the captioned Suit, Summoned for hearing on 25.03.2025 (copy enclosed) shall not be treated to be waiving, relinquishing or abandoning its claim or rights in any manner against the Defendant.”

Counsel for the plaintiff submits that in view of the communication dated 5th March, 2025, the plaintiff may be allowed to withdraw the suit with the liberty to file afresh if any occasion arises.

Counsel for the defendant submits that the defendant had already been filed affidavit-in-opposition in connection with GA-COM/1/2025 after serving the copy to the learned counsel for the plaintiff.

Considering the submissions made by the counsel for the respective parties as the plaintiff is not interested to proceed with the matter and prays for withdrawal of the suit.

Accordingly, CS-COM/13/2025 dismissed as withdrawn with the liberty to file afresh if any occasion arises.

Consequently, the application is also dismissed.

(KRISHNA RAO, J.)

A.Dey/gb