

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL APPELLATE DIVISION
ORIGINAL SIDE

APOT/32/2025
WITH
CS/169/2017
IA NO: GA-COM/1/2025

GCJ INFRA WORLD LLP AND ANR.
VERSUS
M/S. BALAJI ADS AND ANR.

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN

AND

The Hon'ble JUSTICE SMITA DAS DE

Date : 25th March, 2025.

Appearance:

Mr. Moti Sagar Tiwari, Adv.

Mr. Shantanu Mishra, Adv.

Ms. Shweta Poddar, Adv.

...for the appellants

Mr. Arik Banerjee, Adv.

Mr. Ayan Dutta, Adv.

Mr. Rajib Mullick, Adv.

Ms. Ayantika Saha, Adv.

...for the respondents

1. This appeal is arising out of the order dated 15th January, 2025 by which the learned Single Judge although allowed the application for setting aside of the ex parte decree directed the appellant to deposit 75% of the principal decretal amount of Rs.29,81,091/- with the learned Registrar, Original Side as a pre-condition for being allowed to contest the suit on merits.
2. It appears from the impugned order that the learned Single Judge was satisfied that there are grounds disclosing circumstances

which may be beyond the control of the appellant, moreover, the Court was also satisfied that there are certain defences which cannot be brushed aside.

3. On such consideration, we feel that instead of 75% of the principal decretal amount, the appellants shall be directed to deposit Rs.14 lakhs with the learned Registrar, Original Side within one week from date; in default, the order dated 15th January, 2025 shall revive.
4. The ex parte decree shall remain stayed unconditionally for the period of one week.
5. The appeal and the connected application stand disposed of.
6. Since no affidavit-in-opposition is filed, all allegations made are deemed to have been denied.

(SOUMEN SEN, J.)

(SMITA DAS DE, J.)