

OCD-9

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
COMMERCIAL DIVISION  
ORIGINAL SIDE

CS-COM/23/2025

MD RAMIJ RAJA  
VS  
AL BORHAN INTERNATIONAL

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : March 4, 2025.

Appearance :

Mr. Ayan Kumar Boral, Adv.  
... for the plaintiff

The Court: Mr. Ayan Kumar Boral, learned Counsel, is appearing for the plaintiff.

The plaintiff has filed the present suit praying for recovery of an amount of Rs.20,89,154.48p.

Counsel for the plaintiff prays for dispensation of Section 12A of the Commercial Courts Act, 2015. Counsel for the plaintiff submits that the defendant has issued work orders and accordingly, the plaintiff has executed the work awarded to the plaintiff and the plaintiff has raised bills but finally an amount of Rs.16,84,802/- has not been paid in spite of several requests made by the plaintiff and as such the plaintiff has filed the present suit.

This court does not find any urgency to grant dispensation of Section 12A of the Commercial Courts Act.

Accordingly, the plaint is returned to the plaintiff with liberty to approach for pre-mediation process and if occasion arises, the plaintiff is at liberty to file a fresh suit on completion of pre-mediation process.

Court fee paid by the plaintiff be refunded to the plaintiff. The plaintiff is at liberty to use the said Court fee if the plaintiff intends to file a fresh suit after the pre-mediation process is over.

CS-COM/23/2025 is treated as disposed of.

(KRISHNA RAO, J.)

RS