

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE

CS/159/2010  
IA No.GA/4/2011 (Old No.GA/3490/2011),  
GA/21/2022, GA/25/2023, GA/26/2023, GA/27/2023

ALOKA OJHA AND ANR.  
-VS-  
CALCUTTA SAFE DEPOSIT COMPANY LIMITED & ORS.

With

RVWO/19/2024  
IA No.GA/1/2024, GA/2/2024

ALOKA OJHA AND ANR.  
-VS-  
CALCUTTA SAFE DEPOSIT COMPANY LIMITED & ORS.

BEFORE:  
The Hon'ble JUSTICE KRISHNA RAO  
Date : September 11, 2024.

Appearance:  
Ms. Pritha Bhaumik, Adv.  
... for the plaintiffs

Mr. Sakya Sen, Adv.  
Mr. Amritam Mandal, Adv.  
Ms. Shipra Naskar, Adv.  
Mrs. Ananya Chakraborty, Adv.  
... for the defendant nos.2 and 4

Mr. Rohit Banerjee, Adv.  
Mr. Asoke Basu, Adv.  
Mr. Altamash Alim, Adv.  
... for the defendant no.5

The Court: Ms. Pritha Bhaumik, learned Advocate, is appearing  
for the plaintiffs through virtual mode.

Mr. Sakya Sen, learned Advocate, is appearing for the defendant  
nos.2 and 4.

Mr. Altamash Alim, learned Advocate, is appearing for the defendant no.5.

It is found from the record that this Court has passed an order for amendment of the plaint a year back. In spite of the order of amendment, the plaintiffs have not taken any steps and subsequently, this Court has directed the Department to make appropriate amendment and accordingly, the Office has submitted the report stating that the Office has carried out the amendment. After the amendment is carried out by the Department, the plaintiffs have not taken any steps for reverification and reaffirmation of the affidavit in spite of order passed by this Court. The matter was taken up for hearing on 28<sup>th</sup> August, 2024 and on the said date also, counsel for the plaintiffs had taken time for reverification and reaffirmation of the plaint and other application as well as for service of the amended copy of the plaint to the defendants but till date the plaintiffs have not taken any steps. When the matter is taken up for hearing today, counsel for the plaintiffs again prays for time.

It is found from the record that the plaintiffs have filed an application for review of the order passed by this Court. Only with the intention that if the amendment is carried out the review application will become infructuous and on that intention only the plaintiffs are not carrying out the amendment and serving the amended copy of the plaint to the defendants in spite of several order passed by this Court.

In view of the above, CS/159/2010 is dismissed.

Consequently, all the connected applications including review application being RVWO/19/2024 are dismissed.

It is made clear that dismissal of the present suit will not affect the interim board constituted by the order dated 12<sup>th</sup> April, 2023 read with the order dated 9<sup>th</sup> October, 2023.

(KRISHNA RAO, J.)

RS