

OCD-7

**In The High Court at Calcutta
Commercial Division
Original Side**

CS-COM/33/2026

T. E. THOMSON AND COMPANY LIMITED
VS
MUSICAL FILMS PRIVATE LIMITED

**BEFORE :
THE HON'BLE JUSTICE ANIRUDDHA ROY
Date : May 7, 2026.**

Appearance :
Mr. Chayan Gupta, Adv.
Mr. Hrithik Chowdhury, Adv.
Mr. Subhajit Biswas, Adv.
...for the plaintiff

The Court : Mr. Chayan Gupta, learned Advocate appears for the plaintiff.

There is certain procedural irregularities shown during scrutiny of the plaint by this Court today.

Mr. Gupta, learned Advocate further prays for incorporation of certain statement in the existing plaint.

At this juncture, Mr. Gupta, learned Advocate appearing for the plaintiff prays for withdrawal of the plaint and to file afresh on the self-same cause of action.

In view of the above, the instant plaint **CS-COM/33/2026** stands **dismissed as withdrawn**, with liberty to file afresh on the self same cause of action between the self same parties.

The Court fees already put in, shall be returned to the plaintiff for utilizing the same in the next suit, if it is between the same parties.

Accordingly, the order dated **March 23, 2026** passed by this Court stands **recalled**.

With the above observations and directions, **CS-COM/33/2026** is directed to be taken off the file.

The suit shall be filed, if any, positively within **six weeks** from date.

It appears that the instant suit is for eviction pursuant to the notice issued under **Section 106 of Transfer of Property Act**. The issue is pending before the Hon'ble Supreme Court.

At the time of presentation of this plaint, today's order shall be placed before the Court and before the learned Master, as the case may be.

(ANIRUDDHA ROY, J.)

Sbghosh