

ALP/3/2026

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

NATURAL PLAZA PVT. LTD.

-VERSUS-

BARDHAMAN HOUSING
DEVELOPMENT PVT. LTD. AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date : 16th April, 2026.

Appearance:

Mr. Abhrajit Mitra, Sr. Adv.

Mr. Satadeep Bhattacharyya, Adv.

Mr. Awani Kumar Roy, Adv.

Mr. Surajit Biswas, Adv.

Ms. Sriparna Mitra, Adv.

Mr. Arijeet Bera, Adv.

...for the petitioner.

Tirthankar Dhali, Adv.

Mr. Sayantan Adhya, Adv.

Md. Nadeem, Adv.

Mr. Parvej Alam, Adv.

Mr. Mir Md. Minhaj, Adv.

Mr. Rejwan Ali, Adv.

...for the respondent.

The Court: Affidavit of service filed in Court is taken on record.

ALP/3/2026 has been preferred praying for transfer of Title Suit No. 87 of 2023 (Barddhaman Housing Development Pvt. Ltd. Vs. Gold King Projects Pvt. Ltd. & Anr.) pending before the Learned Civil Judge, Junior Division, 2nd Court, Purba Bardhaman to the Hon'ble High Court at Calcutta.

It is submitted by Mr. Mitra, learned senior counsel appearing for the petitioner that the petitioner's application under Order VII Rule 11 of the Code of Civil Procedure has not been disposed of by the Trial Court in spite of an earlier

order passed by the High Court in CO/3990/2025 dated 3rd December, 2025, wherein the Court had directed the Trial Court to dispose of the said application within a period of three months.

It is submitted by Mr. Mitra appearing for the petitioner that the said application has not been disposed of by the Trial Court till date, as the Court does not have a regular Presiding Officer.

Considering the submissions of the parties herein and materials on record and the reasons for which the transfer has been sought for, this Court is of the view that the grounds as made out does not call for transfer of the suit, from the Trial Court to the High Court.

Accordingly, ALP/3/2026 is disposed of with the direction that the application under Order VII Rule 11 of the CPC shall be considered and **disposed of by the Trial Court, being the Regular Court and in case there is no regular Presiding Officer, the Judge-in-Charge of the said Court** shall make all endeavour to dispose of the same within sixty days from the date of communication of this order, on hearing the parties and by passing a reasoned order, in accordance with law.

(SHAMPA DUTT (PAUL), J.)