

Dd 2 07.07.2026
[Bench Id:266362]

In the High Court At Calcutta
CIVIL APPELLATE JURISDICTION
COMMERCIAL DIVISION

FMA/1884/2025
M/S. PANSEN ENGINEERING INDIA PVT LTD
VS
M/s. CLOCK HANDS PVT LTD AND OTHERS
IA NO: CAN/1/2025

Mr. Deepnath Roychowdhury, Advocate
Mr. Bhaskar Dwevedi, Advocate
Ms. Moumita Mukherjee, Advocate
... ... For the Appellant

Mr. Shiv Shankar Banerjee, Advocate
Ms. Arijita Ghosh, Advocate
Mr. Siddharth Chamaria, Advocate
Mr. Adhip Narayan Banerjee, Advocate
... ... For the Respondents

1. Learned advocate appearing for the appellant submits that, the appellant seeks to withdraw this appeal with liberty to approach the appropriate forum in view of the fact that the impugned order is not appealable under Section 13 of the Commercial Courts Act, 2015.
2. Respondents are represented.
3. The order impugned rejected an application under Order 7 Rule 11 of the Code of Civil Procedure, 1908. Contention of the appellant is that the suit itself was filed fraudulently and that, the plaintiff perpetrated fraud on Court. In support of such contention, attention of the Court is drawn to the

fact that plaintiff was struck off from the register of Company prior to the suit being filed.

4. In view of Section 13 of the Act of 2015, the present appeal is not maintainable.
5. We allow the prayer of the appellant to canvass all points raised by the appellant before the appropriate forum. We also keep open all points raised by the respondents for the appropriate forum to decide thereon.
6. **FMA/1884/2025** along with the connected application are **disposed of** without any order as to costs.

[Debangsu Basak, J.]

[Md. Shabbar Rashidi, J.]