

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

CSOS/1/2026

SUSHIL KUMAR PUROHIT
PRESIDENT OF SHREE RAMDEO PUSTIKAR MANDAL

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 16th September, 2026

Appearance:
Mr. Avijit Ghoshal, Adv.
For the plaintiff/petitioner.

The Court:- It is submitted by Mr. Ghoshal, learned Advocate representing the plaintiff, that certain specific facts and particulars are required to be incorporated in the plaint filed in the originating summons suit. Since the facts in the plaint cannot be supplemented by way of filing a supplementary affidavit but only be done through an amendment, if permissible, Mr. Ghoshal intends to withdraw the originating summons suit with leave to file afresh on the self same grounds as may be permissible in law. Mr. Ghosal also submits that the amendment will be cumbersome. Even otherwise going through the averments of the plaint, the name of the creditors, the amount which is to be paid to such individual creditor, when did such claim arise, whether there has been a demand from the creditors, if so, whether the sum due is a stale claim are necessary for answering the questions framed in paragraph 14 of the originating summons suit. The particulars of the

property which the plaintiff intends to sell with tentative valuation is also necessary to be placed on record for effective consideration of the issues to answer the question framed in paragraph 14 of the originating summons suit.

In the aforesaid facts and circumstances, this originating summons suit is dismissed as withdrawn with liberty to file afresh on the self-same cause, if permissible in law.

(ARINDAM MUKHERJEE, J.)

snn.