

OCD-14

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
COMMERCIAL DIVISION  
ORIGINAL SIDE

CS-COM/242/2024  
[Old No. CS/33/2021]  
IA NO: GA-COM/5/2024

RASANDIK ENGINEERING INDUSTRIES INDIA LIMITED  
-VS-  
WEST BENGAL INDUSTRIAL DEVELOPMENT  
CORPORATION LIMITED AND ANR.

BEFORE:  
The Hon'ble JUSTICE KRISHNA RAO  
Date : January 17, 2025.

Appearance:

Mr. Soumabho Ghose, Adv.  
Mr. Soumitra Datta, Adv.  
Ms. Tiana Bhattacharyya, Adv.  
... for the plaintiff

Mr. Suman Dutt, Sr. Adv.  
Ms. Samhita Mukherjee, Adv.  
Mr. Saubhik Chowdhury, Adv.  
Ms. Tapasika Bose, Adv.  
... for the defendant no.1

Mr. Priyankar Saha, Adv.  
Mr. Sayan Ganguly, Adv.  
Mr. Arindam Mondal, Adv.  
Mr. Oishik Chakraborty, Adv.  
... for the defendant no.2

The Court: Mr. Soumabho Ghose, learned Counsel, is appearing for the plaintiff.

Mr. Suman Dutt, learned Senior Counsel, is appearing for the defendant no.1.

Mr. Priyankar Saha, learned Counsel, is appearing for the defendant no.2.

The plaintiff has filed an application being GA-COM/5/2024 praying for striking off the defence of the defendants on the ground that

the defendants have not disclosed their documents for inspection in spite of several orders passed by this Court.

Learned counsel for the defendant no.1 submits that the documents are still not traceable and the department is in search of the documents. As such, the defendant no.1 is not in a position to take appropriate steps to disclose its documents.

Counsel for the defendant no.2 has filed affidavit of admission and denial of documents after serving copy to the learned counsel for the plaintiff. Let the same be kept with the record.

The defendant no.2 has also filed affidavit-in-opposition to GA-COM/5/2024 after serving copy to the learned counsel for the plaintiff. Let the same be kept with the record.

The plaintiff is at liberty to file reply, if any, within a week from date.

This Court finds that the defendant no.1 is still in search of the documents which the defendant no.1 intends to rely upon and as such, for the said purpose the suit cannot be stalled. Accordingly, in the meantime, the parties are directed to exchange their suggested issues though the plaintiff has already filed its suggested issues.

Let the matter appear on 7<sup>th</sup> February, 2025 for framing of issues.

(KRISHNA RAO, J.)