

IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
(COMMERCIAL DIVISION)  
ORIGINAL SIDE

IA NO. GA-COM/7/2025  
[OLD NO CS/33/2021]  
In  
CS-COM/242/2024

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

BEFORE:  
The Hon'ble JUSTICE RAVI KRISHAN KAPUR  
Date : 23<sup>rd</sup> December, 2025

Appearance:

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

Mr. Suman Dutt, Sr. Adv.  
Mr. P. Sinha, Adv.  
Mr. Saubhik Chowdhury, Adv.  
Ms. Samhita Mukherjee, Adv.  
Ms. S. Mallick, Adv.  
...for the defendant no.1.

Mr. Sudip Deb, Sr. Adv.  
Mr. P. Sinha, Adv.  
Mr. Joydeep Roy, Adv.  
Mr. Arindam Mandal, Adv.  
Ms. Swagata Ghosh, Adv.  
...for the defendant no.2.

The Court: This is an application for appointment of a Commissioner for recording the evidence of the parties. The suit is for damages and was filed as far back as in 2021.

Admittedly, there has been little progress in the suit. By an order dated 18 December 2025, this Court had framed Issues.

Mr. Suman Dutt, Senior Advocate appearing on behalf of the WBIDC has opposed the prayer for Commission and submits that he should be permitted to

adduce evidence in Court. The State of West Bengal is also represented and submits that they have a similar prayer and do not want to go by Commission. They are yet to decide whether they will adduce witnesses or not only after the examination has been concluded.

The above objections are frivolous and rejected. It is quite obvious that both the WBIDC and the State are only interested in unnecessarily procrastinating the hearing of the suit. The plea for filing an affidavit to this application is equally meritless and only to delay matters.

In view of the long pendency of the suit and the fact that no effective steps have been taken place, it would be expedient and in the interests of justice for appointment of a Commissioner to record the evidence of the parties. This is also in conformity with the fact that suit has now been marked as a commercial suit.

In such circumstances, there shall be an order in terms of prayers (a) and (b) of the Master's Summons subject to the clarification that the Commission would be concluded within three months from the date of this order.

Mr. Satyaki Mukherjee, a junior member of the Bar Library is appointed as Commissioner at a remuneration of 1500 gms. per sitting.

To the above extent, GA-COM/7/2025 stands allowed.

Let this suit appear in the monthly list of March 2026.

(RAVI KRISHAN KAPUR, J.)