

OCD-1

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
ORIGINAL SIDE  
COMMERCIAL DIVISION

CS-COM/244/2024  
[Old No. CS/42/2021]

ZILLION INFRAPROJECTS PVT LTD  
-Vs-  
SASHASTRA SEEMA BAL (SSB) AND ANR

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : February 24, 2025.

Appearance :

Mr. Dhruba Ghosh, Sr. Adv.  
Mr. Altamash Alim, Adv.  
Mr. Soumen Das, Adv.  
...for the plaintiff

Ms. Anamika Pandey, Adv.  
... for the defendant no.1

Mr. Arik Banerjee, Adv.  
Mr. Jit Ray, Adv.  
...for the defendant no. 2

The Court: Mr. Dhruba Ghosh, learned senior counsel, is appearing for the plaintiff.

Ms. Anamika Pandey, learned counsel, is appearing for the defendant no.1.

Mr. Arik Banerjee, learned counsel, is appearing for the defendant no.2.

The matter is listed as "To Be Mentioned" on the prayer made by the Counsel for the plaintiff.

It is submitted that by an order dated 19<sup>th</sup> July, 2023, this Court has appointed Mr. Prithviraj Sinha, learned Advocate of this Bar as Commissioner for recording evidence.

Counsel for the parties submits that after the appointment of Mr. Sinha as Commissioner for recording evidence of the witness, he has held only one meeting and thereafter he could not hold any commission for recording evidence of the witness in terms of the order dated 19<sup>th</sup> July, 2025 due to his illness.

From time to time this Court has extended the time for filing the report by the Commissioner. Lastly, on 10<sup>th</sup> January, 2025 this Court has extended the time for completing recording of the evidence of the witness on commission and to file report by the Commissioner on 28<sup>th</sup> March, 2025.

Counsel for the parties submits that due to his illness, the learned Commissioner is not in a position to hold any commission for examination of the witness on commission. Counsel for the plaintiff prays for appointment of any other commissioner in place of Mr. Prithviraj Sinha.

None of the parties have raised objection for appointment of another advocate in place of Mr. Prithviraj Sinha for recording the evidence of the witness on commission.

Considered the submissions made by the Counsel for the plaintiff and perused the orders wherein time to time this Court has extended the time to file report by the Commissioner.

In view of the above, Mr. Soumabho Ghose, Advocate is appointed as Commissioner for recording the evidence of the plaintiff's witness on Commission.

The remuneration of the Commissioner is fixed at Rs.17,000/- per sitting. The remuneration shall be paid by the plaintiff only.

The Commissioner is directed to complete the evidence of the witness of the plaintiff on commission by 16<sup>th</sup> May, 2025 and to file the report by 22<sup>nd</sup> May, 2025.

The Order dated 19<sup>th</sup> July, 2023 is modified to the above extent.

(KRISHNA RAO, J.)

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