

OCD-4

**In the High Court at Calcutta
Commercial Division
Original Side**

**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 ANIRUDDHA ROY
Date : November 6, 2025.**

Appearance:

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

Mr. Arik Banerjee, Adv.
Mr. Jit Ray, Adv.
... for the defendants

Mr. Soumabho Ghose, Adv.
.... Learned Commissioner

The Court: Mr. Dhruba Ghosh, learned Senior Counsel, is appearing for the plaintiff.

Mr. Arik Banerjee, learned Counsel, is appearing for the defendant No. 2.

Mr. Dhruba Ghosh, learned Senior Counsel submits that the plaintiff has not prayed for any claim against the defendant No. 1 in the suit and as such, the plaintiff has relinquished its claim only against the defendant No. 1 and the suit shall survive and proceed against the defendant No. 2.

The order dated **February 24, 2025** shows that Mr. Soumabho Ghose, learned Advocate, has been appointed as Commissioner for the

purpose of holding the witness action of the plaintiff. The process has been concluded. The order dated **September 24, 2025** shows that the matter was made returnable on **November 4, 2025**. However, the matter has appeared today and has been taken up.

Mr. Soumabho Ghose, learned Advocate/Commissioner submits his report, the same is taken on record.

Mr. Soumabho Ghose, learned Advocate/Commissioner submits that page No. 201 has been taken out by him as it was a repetition, but otherwise the report is complete.

Mr. Dhruba Ghosh, learned Senior Counsel submits that there shall be no further witness from the side of the plaintiff.

In view of the above, to expedite the suit, the defendant No. 2 shall file its evidence on affidavit on or before **December 10, 2025** upon copy being furnished to the learned Advocate-on-Record of the plaintiff.

Mr. Soumabho Ghose, learned Advocate/Commissioner stands discharged. He shall circulate a copy of the report upon the parties.

After the aforesaid period stands expired, parties shall be at liberty to mention upon notice to each other.

(ANIRUDDHA ROY, J.)

Sbghosh