



ORDER SHEET

CS/11/2018
IA No: GA/3/2019 (Old No. GA/719/2019)

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
[COMMERCIAL DIVISION]

SAURABH GUPTA
-VS-
ROYAL SUNDARAM GENERAL INSURANCE COMPANY LIMITED & ANR.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : March 13, 2023.

Appearance:

Mr. Swarnendu Ghosh, Adv.
Ms. Suchismita Ghosh, Adv.
Mr. Abirlal Ghosh, Adv.
Mr. Prasun Ghosh, Adv.
... for the plaintiff

Mr. Avinash Kankani, Adv.
Mr. Shaswat Nayak, Adv.
Mr. Suman Majumder, Adv.
... for the defendant no.1

Mr. Sayantan Bose, Adv.
Ms. Radhika Misra, Adv.
... for the defendant no.2

The Court: Counsel for the respective parties are present.

In compliance with the order dated 21st February, 2023, the plaintiff has filed the examination-in-chief of the plaintiff's witness no.1 after serving copy to the respective parties.

Counsel for the plaintiff and the counsel for the defendant no.1 submit that they have no objection for appointment of Commissioner for examination of witness on commission.

Counsel for the defendant no.2 submits that Commissioner can be appointed for examination of the witnesses of the plaintiff subject to payment



of remuneration of the learned Commissioner by the respective parties at the time of examination of their respective witnesses.

Considered the submission made by the counsel for the respective parties.

Mr. Sarosij Dasgupta, learned Advocate of Bar Library Club, High Court at Calcutta is appointed as Commissioner for examination of witness of the plaintiff on commission. The remuneration of the Commissioner is fixed at Rs.12,000/- per sitting and the remuneration shall be paid by the plaintiff at the time of examination of the witness of the plaintiff.

The Commissioner is directed to inform the date of examination of witness on commission to the Assistant Registrar of this Court so as to enable the Officer of this Court to produce the documents before the learned Commissioner at the time of examination of the witness.

The Commissioner is directed to complete the examination of the plaintiff's witness within a month without giving unnecessary adjournment taking into consideration that the suit is of commercial in nature. The Commissioner is also directed to file the report on 17th April, 2023.

Counsel for the defendant no.1 submits that on 21st February, 2023, the defendant no.1 has also filed the affidavit of admission and denial but the same has not been recorded.

Let the affidavit of admission and denial, which is already filed on 21st February, 2023, be taken on record.

Let the matter appear on 17th April, 2023.

(KRISHNA RAO, J.)