

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

IA NO: GA-COM/6/2026
in
CS-COM/564/2024

BRAVO SPONGE IRON PRIVATE LIMITED
VS.
BIRAT CHANDRA DAGARA

BEFORE:

THE HON'BLE JUSTICE **ANIRUDDHA ROY**

Date : MARCH 31, 2026.

APPEARANCE:

Mr. Kumarjit Banerjee, Adv.
Ms. Sanchari Chakroborty, Adv.
Ms. Akanksha Chowdhury, Adv.
... for the Plaintiff

Mr. Saurodip Banerjee, Adv.
Ms. Pallavi Chatterjee, Adv.
... for Defendant

The Court:- This is a commercial suit for price of goods sold and delivered by the plaintiff to the defendant. The suit has been marked as undefended, as the defendant has forfeited its right to file a written statement.

The instant application has been filed by the plaintiff for amendment of the plaint. The amendment has been sought for on the ground of the change of name of the plaintiff pursuant to a Scheme of Amalgamation passed by the jurisdictional NCLT. The order is annexed at **page 7** to this application.

Mr. Saurodip Banerjee, learned advocate appears for the defendant.

Since the suit has acquired the character of an undefended suit, in view of the statutory rigour under the amended **Order VIII Rule 1** of **CPC** read with the relevant provisions of the Commercial Courts Act, 2015, the defendant cannot and shall not have any right of audience in this application.

On perusal of the proposed amended plaint annexed at **page 39** to this application, this Court finds that the amendments sought for are formal in nature and in the event the same is allowed, shall not alter the nature and character of the original plaint.

Accordingly, the application for amendments being **GA-COM/6/2026** stands **allowed** without any order as to costs.

The necessary amendments shall be carried out positively within **four weeks** from date by the department upon compliance of all the necessary requirements of rule by the plaintiff.

The plaintiff shall re-verify and re-affirm the plaint wherever it is necessary in the plaint.

(ANIRUDDHA ROY, J.)

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