

In the High Court at Calcutta
Commercial Division
Original Side

IA NO. GA-COM/3/2026
In CS-COM/663/2024

USKOM KOMUNIKASYON SISTEMLERI TAHUT VE TICARET A S
VS
TECHNO ELECTRIC AND ENGINEERING CO

BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date : July 20, 2026.

Appearance:
Mr. Samriddha Sen, Adv. (VC)
Mr. Aniruddha Saha Roy, Adv.
...for the plaintiff

Mr. Aritra Basu, Adv. (VC)
Mr. Aman Agarwal, Adv.
Mr. Sanket Sarawgi, Adv.
...for the defendant

The Court: Mr. Samriddha Sen, learned Advocate (VC) with Mr. Aniruddha Saha Roy, learned Advocate appears for the plaintiff.

Mr. Aritra Basu, learned Advocate (VC) with Mr. Aman Agarwal, learned Advocate appears for the defendant.

This is an application filed by the plaintiff, *inter alia*, praying for condonation of delay for about **420 days** beyond the statutory period mentioned under **Rule 3 to Order XI of Code of Civil Procedure, 1908**, as amended in the light of the promulgation of the **Commercial Courts Act, 2015 ("CC Act")**, in seeking inspection of documents in support of the plaint as also to deal with the counter claim lodged by the defendant in its written statement.

Considering the prayers made in the application and considering the grounds shown, principally being the prevailing war situation at the relevant place where the plaintiff situates, this Court finds that sufficient cause has been made out for condonation of delay and also for the ends of justice, the inspection of documents is required to be allowed, as prayed for.

Procedural rigors shall not overrule substantial justice when, discretion is left with the Court, in an appropriate case.

In view of the above, parties shall complete the inspection and discovery of documents, positively within **October 15, 2026**, subject to plaintiff paying a cost of **Rs.15,000/-** in favour of **Calcutta High Court Legal Services Committee**.

The cost shall be paid by the plaintiff or through its learned Advocate on Record but by way of banker's instrument. Copy of the money receipt shall be produced before learned Advocate on Record for the defendant and also before the concerned department, when the documents/ Judge's Brief of Documents shall be accepted by the department.

On the above terms, this application **IA GA-COM/3/2026** stands **disposed of**.

(ANIRUDDHA ROY, J.)

Sbghosh