

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

CS-COM/740/2024

VIKRAM SOLAR LIMITED
VS
ECGC LIMITED

**BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date : April 23, 2026.**

Appearance:

Mr. Sorosij Dasgupta, Adv.
Mr. Samrat Mukherji, Adv.
Mr. Rik Mukherji, Adv.
...for the plaintiff.

Mr. Sounak Mukhopahdyay, Adv.
Mr. Paritosh Sinha, Adv.
Ms. Shrayashee Das, Adv.
Mr. Tridibesh Dasgupta, Adv.
Ms. Anukriti Agarwal, Adv.
...for the defendant.

The Court: Mr. Sorosij Dasgupta, learned advocate with Mr. Samrat Mukherji, learned advocate appears for the plaintiff.

Mr. Sounak Mukhopadhyay, learned advocate appears for the defendant.

An insurance claim is the subject matter of the suit.

Issues have already been settled by the Co-ordinate Bench on
September 26, 2025.

Parties shall proceed for witness action before **Commissioner** so that hearing of the suit can be expedited.

In view of the above, **Mr. Pradip Kumar Mitra**, learned advocate (Junior), **Bar Library Club, 1st Floor** is appointed as learned **Commissioner** to hold the witness action.

All costs and expenses shall be borne by the examining parties while they shall examine the witness. Today, the plaintiff filed its evidence on affidavit in Court along with certificate under **Section 63 of the B.S.A., 2023** before this Court insofar as the first witness of the plaintiff is concerned. The same is taken on record.

The remuneration of the learned **Commissioner** shall be **Rs. 20,000/- per session**. The **Secretarial** expenses shall be **Rs. 3,000/- per session**. The remuneration of the stenographer shall be fixed by the learned **Commissioner**. Each session, except the first session, shall be held at least for **two hours**.

Learned **Commissioner** shall commence the witness action positively within **two weeks** from the date of communication of this order and shall conclude the witness action insofar as this witness of the plaintiff is concerned positively within **two months** from the date of first sitting of the **Commission**.

On the first day when the evidence on affidavit shall be tendered, the entire cost shall be borne by the plaintiff and, thereafter, during the cross-examination, it shall be borne by the defendant.

After the witness action is over, learned **Commissioner** shall file its report before this Court.

The matter shall be mentioned by the parties upon notice to each other, then.

The original records shall be produced before the learned **Commissioner** and the same shall be accompanied under the supervision and custody of an officer in the Original Side, to be nominated by the **Registrar, Original Side**.

(ANIRUDDHA ROY, J.)

Arsad