

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

**IA NO. GA-COM/10/2026
[OLD NO CS/133/2011]
In CS-COM/574/2024**

**DINESH METALICKS & ELECTRICALS PRIVATE LIMITED
Vs
SRC METALICKS (PVT.) LIMITED**

**BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date: February 24, 2026.**

Appearance:
Mr. Sarbajit Mukherjee, Adv.
Ms. Shyantee Datta, Adv.
Ms. S. Das Chowdhury, Adv.
..for the petitioner.

The Court: This is a commercial suit marked as undefended.

The defendant has forfeited its right to file written statement as the suit was transferred in the commercial division of this Court and was treated to be such by an order dated **March 12, 2024**.

The plaintiff has taken out the Master's Summons praying for a direction granting leave to disclose a document dated **July 28, 2025** at **page 58** to the supporting affidavit.

The reasons in support of this application have been pleaded in **paragraphs 11 to 15** of the supporting affidavit.

On reading of the supporting affidavit, it appears to this Court that at the time of institution of the suit, it was instituted as non-commercial suit and the rigour of commercial law was not there. Subsequently, when the suit was treated to be a commercial suit by an order dated **March 12, 2024**, rigour of the commercial law had become applicable. The averment in the application further shows that though the document was in the custody

of the plaintiff but, in spite of due diligence, the same could not be disclosed in compliance of the provisions under the commercial law; but subsequently the plaintiff has realized that this document is essential for adjudication of the suit.

In view of the above, for the ends of justice the application stands **allowed** in terms of the prayers (a) and (b) to the Master's Summons subject to payment of cost of **Rs. 5,000/-** to be paid in favour of the **"Calcutta High Court Legal Services Committee"** within **two weeks from date**.

Upon production of the money receipt before the department, department shall allow the applicant to disclose the said document **within two weeks** from the date of payment of cost in accordance with law and consequential procedures shall be carried out accordingly.

On the above terms, this application being **IA NO. GA-COM/10/2026** stands **allowed**.

(ANIRUDDHA ROY, J.)

Arsad