

In The High Court at Calcutta
[Commercial Division]
Original Side

IA NO. GA-COM/2/2025
[OLD NO. CS/92/2023]
In
CS-COM/504/2024

JEJU METALS PVT LTD
Vs
YES BANK LTD

BEFORE :
THE HON'BLE **JUSTICE ANIRUDDHA ROY**
Date :23rd March, 2026

Appearance:

Mr. Moti Sagar Tiwari, Adv.
Ms. Shweta Poddar, Adv.
...for the plaintiff

Ms. Suchismita Ghosh, Adv.
Mr. Soumya Kanjilal, Adv.
Ms. Aradhita Banerjee, Adv.
...for the defendant

The Court :- Mr. Moti Sagar Tiwari, learned Advocate, appears for the plaintiff.

Ms. Suchismita Ghosh, learned Advocate, appears for the sole defendant.

This is a Commercial Suit where the defendant has filed its written statement. Trial has not been commenced. Issues have been framed. At this stage, the plaintiff has come up with the instant application praying for leave to disclose additional documents which are not made part of the plaint in any manner, neither pleaded in the plaint, though the plaintiff admits that the documents were and are in the power, possession, control or custody of the plaintiff.

This Court has raised a query at this stage that unless the plaint is allowed to be amended containing the said documents, since written statement has been filed by the defendant, whether the additional disclosure is permitted at this stage.

In support of his contention, Mr. Tiwari has relied upon a judgment of this Court dated **February 23, 2026** *In the Matter of : Usha Martin Limited vs Balurghat Technologies Limited* rendered in **IA NO. GA-COM/1/2025, CS-COM/491/2024**.

At the threshold, the Court has observed that the judgment *In the Matter of : Usha Martin (Supra)* was rendered in an undefended suit.

However, Mr. Tiwari shall be at liberty to make his submissions in the light of the above observations and, additionally, if he wants to urge any further points, he shall be at liberty to do so.

The matter shall appear under the heading **“Adjourned Motion”** on **April 30, 2026**.

(ANIRUDDHA ROY, J.)

R.D.Barua/R.Bhar