

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/170/2024
[Old No. CS/265/2019]

DESMET REAGENT PVT. LTD.

-VS-

HDFC ERGO GENERAL INSURANCE CO. LTD. AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : September 16, 2025.

Appearance

Mr. Aniruddha Mitra, Sr. Adv.

Mr. Rohit Mukherji, Adv.

Mr. Swastika Sengupta, Adv.

... for the plaintiff

Mr. Sourav Kumar Mukherjee, Adv.

Ms. Anjana Banerjee, Adv.

... for the defendant no.1

1. Plaintiff is present. Cross-examination is resumed. After some part of cross-examination, Counsel for the defendant prays for time. Accordingly, cross-examination is deferred.
2. The defendant by a letter dated 8th September, 2025 requested the Learned Advocate on Record of the plaintiff for production of the following documents :-
 - 1) The documents evidencing that all the consignments of your client, those took place between 1st January, 2018 and 31st December, 2018, were insured.
 - 2) The relevant document to establish the relationship between the plaintiff company with the clearing agent in respect of the subject consignment of the above-referred suit.
 - 3) True copy of the audited Balance sheet of the plaintiff company, for the Financial Year 2018-19, that was filed in terms of the statutory provision.

- 4) The documents evidencing that Balance sheet of the plaintiff company, for the Financial Year 2018-19, was audited and the same was filed in terms of the statutory provision.
3. On receipt of the said letter, the plaintiff has produced the documents mentioned in serial nos.3 and 4. As regard the document mentioned in serial no.1, it is submitted that the defendant has asked for the documents of all consignment of the client of the plaintiff which took place between 1st January, 2018 and 31st December, 2018 but this case is only related to one consignment which is the subject matter of the present suit and that consignment has already been brought on record by the plaintiff during the examination of the plaintiff and as such, the plaintiff finds that the document mentioned in serial no.1 cannot be disclosed as the same are third party documents. As regard the documents mentioned in serial no.2, Counsel for the plaintiff submits that the said documents are also with regard to other companies and the plaintiff during his cross-examination has categorically stated that the company has taken decision that these documents should not be disclosed as the same are third party documents and if the documents are disclosed, third party will be prejudiced as the documents are confidential documents.
4. Let the matter appear on 25th November, 2025 at 3:45 PM for further cross-examination of P.W. 1.

(KRISHNA RAO, J.)