

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE
COMMERCIAL DIVISION

CS-COM/691/2024
[OLD NO CS/284/2011]

SUGAM INFRASTRUCTURE LIMITED
VS
THE NEW INDIA ASSURANCE COMPANY LIMITED

BEFORE:
THE HON'BLE JUSTICE SUGATO MAJUMDAR
Date: 6th January, 2025

Appearance:

Mr. Shyamal Sarkar, Sr. Adv.
Mr. Vivek Basu, Adv.
Mr. P. Bagaria, Adv.
...for the Plaintiff

Mr. Amitava Ghosh, Adv.
Mr. Kartik Kr. Bhattacharya, Adv.
Ms. Soumashree Dutta, Adv.
Ms. Papiya Naskar, Adv.
...for the Defendant

The Court: Suggested issues are filed by the Learned Counsels of both the parties.

On the basis of rival pleadings, the following issues are framed:

1. Whether the suit is maintainable?
2. Whether the suit is barred by any law?

3. Whether this court has jurisdiction to entertain the suit?
4. Whether there was a valid contract of insurance between the parties? If so what was the extent of insurance coverage?
5. Whether there was valid insurance cover under the policy in respect of the damage suffered by the Plaintiff, as alleged?
6. Whether the claim of the Plaintiff justified?
7. Whether the Defendant is justified in refusing the claim of the Plaintiff?
8. Whether the Plaintiff suffered damages, as alleged?
9. Whether the Plaintiff is entitled to the decree prayed for? What other relief/reliefs the Plaintiff is entitled to?

Fix 06/02/2025 for witness action.

(SUGATO MAJUMDAR, J.)