

OCD-5

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/691/2024
(OLD NO. CS/284/2011)
IA NO. GA-COM/5/2025

SUGAM INFRASTRUCTURE LIMITED
VS
THE NEW INDIA ASSURANCE COMPANY LIMITED

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : April 23, 2025.

Appearance :

Mr. Shyamal Sarkar, Sr. Adv.
Mr. Aniruddha Mitra, Sr. Adv.
Mr. Vivek Basu, Adv.
Mr. P. K. Bagaria, Adv.
... for the plaintiff

Mr. Amitava Ghosh, Adv.
Mr. Kartick Kr. Bhattacharya, Adv.
Ms. Soumkashree Dutta, Adv.
... for the defendant

1. Mr. Shyamal Sarkar, learned Senior Counsel, is appearing for the plaintiff.
2. Mr. Amitava Ghosh, learned Counsel, is appearing for the defendant.
3. Plaintiff has filed the present application being GA-COM/5/2025 praying for examination of the plaintiff's witness, namely, Arvind Kumar Saraf who is one of the director of the plaintiff company.
4. Counsel for the plaintiff submits that the said witness is aged about 55 years and is suffering from various ailments and as such, he prays for examination of the said witness on commission.

5. Counsel for the defendant submits that if the plaintiff intends to examine the witness on commission in and around the Court premises, the defendant has no objection.
6. Counsel for the plaintiff submits that the plaintiff will examine the witness on commission in and around the Court premises.
7. Considering the submission made by the counsel for the respective parties, this Court appoints Mr. Shayak Mitra (contact no. 8902005746) as Advocate Commissioner for examination of the plaintiff's witness, namely, Arvind Kumar Saraf on commission.
8. The remuneration of the Commissioner is fixed at Rs.15,000/- per sitting and the said remuneration shall be paid by the plaintiff.
9. The Commissioner is directed to inform the date of holding commission to the Assistant Registrar of this Court so that the official of this Court shall produce the record of this case before the Commissioner for the examination of the plaintiff's witness on commission.
10. The Commissioner is directed to complete the examination of the plaintiff's witness on commission within a period of two months and to submit report by 15th July, 2025.
11. GA-COM/5/2025 is disposed of.

(KRISHNA RAO, J.)