

OCD-4

ORDER SHEET

APOT/152/2025

IN THE HIGH COURT AT CALCUTTA
Commercial Appellate Division
ORIGINAL SIDE

UTKARSH INDIA LIMITED
VS
KASHYAP YANTRIQUE PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE ARIJIT BANERJEE

AND

The Hon'ble JUSTICE RAI CHATTOPADHYAY

Date : 30th June, 2025.

Appearance:

Mr. Sourodeep Banerjee, Adv.

Mr. Dwip Raj Basu, Adv.

Mr. A. Kar, Adv.

..for the appellant

Dictated by Arijit Banerjee, J.

The Court: This appeal is directed against an order dismissing the appellant's application for amendment of the plaint and for disclosing additional documents.

Learned Advocate for the appellant, in his usual fairness, says that perhaps this appeal is not maintainable since the order sought to be impugned does not fall within the ambit of Section 13 of the Commercial Courts Act, 2015, read with order XLIII Rule 1 of the Code of Civil Procedure.

Learned Advocate for the appellant seems to be right.

We appreciate his fairness.

This appeal stands dismissed.

This will not prevent the appellant from challenging the order sought to be impugned in this appeal before any other forum in accordance with law.

Let the certified copy of the impugned order be returned to learned Advocate for the appellant upon a photocopy of the order being furnished to be kept with the records.

(ARIJIT BANERJEE, J.)

(RAI CHATTOPADHYAY, J.)

bp