

09.02.2026

Item no.DL 8
Court No. 06

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side

Case No.

CO 2587 of 2025

In the matter of :

SMT. PRIYANKA GANGULY

... Petitioner

VS.

SRI MANIK LAL BANIK & ANR.

... Opposite Parties

For the Petitioner :

Mr. Aniruddha Chatterjee, Sr. Advocate

Mr. Arkaprava Sen

Mr. Sayantan Kar

... Advocates

For the Opposite Parties :

Mr. Jewel Chanda

Mr. Rumki Guha

Mr. Banti Shaw

... Advocates

1. This revisional application has been filed challenging an order dated March 18, 2025 passed by the learned Civil Judge (Senior Division), 8th Court at Alipore in Title Suit no.119 of 2025.
2. By the order impugned, the learned Court directed compliance of the provision of Order XI Rules 12 and 14 of the Code of Civil Procedure. The petitioner was directed to produce the partnership deed in original, bank accounts and the books of accounts.

3. Discovery and inspection is a part and parcel of a proceeding before the civil court. The Code of Civil Procedure permits passing of orders of such nature. Accordingly, the Court directed the documents to be produced.
4. Mr. Chatterjee, learned Senior Advocate appearing for the petitioner, submits that the books of accounts, bank accounts, etc. are relevant only at the stage of evidence.
5. This Court is of the view that discovery and inspection of documents, especially those in relation to a partnership firm, at the instance of a partner who seeks to take inspection of those documents is permissible and necessary. Usually parties file the documents to be relied upon by way of a *Firisti* and the documents submitted are allowed to be inspected. Although an allegation was made that the direction was passed by the Court at a premature stage, I find that application for injunction has been disposed of now and as such, there is no impediment on the part of the defendants to produce the original partnership deed, the original books of accounts and the bank statements.
6. The opposite parties are the sleeping partners no doubt, but they are entitled to remuneration.

They have alleged breach of the clauses of the partnership deed.

7. Section 12(d) of the Indian Partnership Act, 1932 provides that every partner has an access to inspect and to a copy of any of the books of the firm.
8. Under such circumstances, the opposite parties are entitled to enforce these rights which they have done by filing an application under Order XI Rules 12 and 14 of the Code of Civil Procedure.
9. Thus, in compliance of the said provision of the law the learned Court below has rightly passed the order.
10. The order impugned does not call for any interference. The said order will be complied with after disposal of the application under Order VII Rule 11 of the Code of Civil Procedure.
11. Accordingly, **CO 2587 of 2025** stands **disposed of**.
12. All parties shall act on the basis of server copy of this order, duly downloaded from the official website of this Court.

13. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shampa Sarkar, J.)