

Misc. Appeal No.2 of 2026
CNR No.WBCC01-000320-2026
Present : Sri Abhijit Som, Chief Judge (WB01127)
Order No.9, dated 01.08.2026:

Ld. Advocate on behalf of the respondents are present before this Court.

On behalf of the petitioner an application is filed praying for cancellation or withdrawal of the order of payment of cost passed by the Court at the time of considering the application for condonation of delay.

It is found from the record that the application under Section 5 of the Limitation Act for condonation of delay was allowed subject to payment of cost of Rs.10,000/- to the respondents. It was clearly mentioned that the appeal will be admitted on payment of cost. Now, the petitioner files an application to inform this Court that the petitioner is not in good financial condition to comply the order of payment of cost. However, this Court has no jurisdiction to revise the order passed by this Court. The order was passed considering all aspects of the parties. So, the prayer made by this petitioner vide application dated 01.08.2026 may not be allowed and the application is accordingly rejected. Since no cost is paid as per order of this Court, the appeal is not admitted. However the petitioner is given another four weeks time to comply with the order of this Court.

Fix 29.08.2026 for payment of cost and necessary order.
Dictated & corrected by me,

Chief Judge.

Chief Judge,
City Civil Court, Calcutta.