

GAHC010269532025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/3983/2025

SOMNATH CHATTERJEE
SON OF LATE TARINI CHARAN CHATTERJEE, RESIDENT OF GC-77, SALT
LAKE, SECTOR-III, KOLKATA - 700096, WEST BENGAL

VERSUS

B AND A LIMITED
AN EXISTING COMPANY WITHIN THE MEANING OF THE COMPANIES ACT,
1956 AND HAVING ITS REGISTERED OFFICE AT INDU BHAVAN, MAHATMA
GANDHI ROAD, JORHAT - 785001, ASSAM AND PRESENTLY AT VILL.
GARIAHABI, CHARINGIA, MOUZA KHANGIA, DIST. JORHAT, ASSAM -
785006

2:SHARMILA VIJAY SHETTY
RESIDING AT B-32
TURF VIEW
SETH MOTILAL SINGHI MARG
MUMBAI-400018.

3:HDFC BANK LTD.
CARRING ON BUISNESS
INTER ALIA FROM 11
U.N. BRAHMACHAL STREET
KOLKATA-700017
WEST BENGAL

Advocate for the Petitioner : MR. W SHARMA, S SENGUPTA,MR P GOGOI,MR. A K
SAHEWALLA

Advocate for the Respondent : MR. P BORAH, MR. P SARMAH (R-3),R BASUMATARY (R-
3),MR. S HAZARIKA,MR B KAUSHIK,K BHARALI

Linked Case : I.A.(Civil)/3982/2025

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Advocate for : MR. W SHARMA
Advocate for : MR. P BORAH appearing for B AND A LIMITED

Linked Case : I.A.(Civil)/3216/2025

SOMNATH CHATTERJEE
S/O. LT. TARINI CHARAN CHATTARJEE
R/O. GC-77
SALT LAKE
SECTOR-II
KOLKATA-700096
WEST BENGAL

VERSUS

B AND A LIMITED AND 2 ORS.
AN EXISTING CO. WITHIN THE MEANING OF THE COMPANIES ACT
2013 HAVING ITS REGD. OFFICE PREVIOUSLY AT INDU BHAVAN
MAHATMA GANDHI ROAD
JORHAT-785001
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U.N. BRAHMACHAL STREET
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WEST BENGAL

Advocate for : MR. W SHARMA
Advocate for : appearing for B AND A LIMITED AND 2 ORS.

Linked Case : FAO/62/2025

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Advocate for : MR. W SHARMA
Advocate for : MR. P BORAH appearing for B AND A LIMITED AND 2 ORS.

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 09.12.2025

- 1.** Heard Mr. R. Banerjee, learned Senior Counsel assisted by Mr. W. Sharma, learned counsel for the petitioner. Also heard Mr. K. N. Choudhury, learned Senior Counsel assisted by Mr. K. Jain, learned counsel for the respondent No.1, Mr. D. Mozumdar, learned Senior Counsel assisted by Mr. B. Kaushik, learned counsel for the respondent No.2 and Mr. R. Chakraborty, learned counsel appearing on behalf of the respondent No.3.
- 2.** Mr. Mozumdar, learned Senior Counsel for the respondent No.2 as well as Mr.

Chakraborty, learned counsel for the respondent No.3 have submitted that they will file a reply to this petition and prayed for some time.

- 3.** After hearing the learned counsel for both sides, the prayer is allowed.
- 4.** List this matter again on 08.01.2026.
- 5.** In the meantime, the interim order passed in I.A. (Civil) No.3216/2025 shall continue till the next date of listing.
- 6.** Learned counsel for the respondent No.2 has submitted that the petitioner shall not create any third party right in respect of the aforementioned shares.

JUDGE

Comparing Assistant