

GAHC010216072025



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

**Case No. : FAO/62/2025**

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, ASSAM AND PRESENTLY AT VILL.-  
GARIABABI, CHIRANG, MOUZA KHANGIA, DIST. JORHAT, ASSAM, PIN-  
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 BENGA

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

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

Linked Case : I.A.(Civil)/4154/2025

HDFC BANK LTD  
REPRESENTED BY THE BRANCH MANAGER  
11  
DR. U.N. BRAHMACHARI STREET  
KOLKATA 700017

VERSUS

SOMNATH CHATTERJEE AND 2 ORS  
S/O LT. TARINI CHARAN CHATTARJEE  
R/O GC 77 SALT LAKE  
SECTOR II  
KOLKATA 700096

2:B AND L LIMITED  
VILLAGE GARIABABI  
CHIRANG  
MOUZA KHANGIA  
DIST JORHAT  
ASSAM 785006

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

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Advocate for : MR. P SARMAH  
Advocate for : MR. A K SAHEWALLA appearing for SOMNATH CHATTERJEE  
AND 2 ORS

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

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  
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INTER ALIA FROM 11  
U.N. BRAHMACHAL STREET  
KOLKATA-700017  
WEST BENGAL

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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)/3983/2025

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

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U.N. BRAHMACHAL STREET  
KOLKATA-700017  
WEST BENGAL

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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.  
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MAHATMA GANDHI ROAD  
JORHAT-785001  
ASSAM AND PRESENTLY AT VILL.- GARIABABI

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KOLKATA-700017  
WEST BENGAL

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

**BEFORE**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**12.02.2026**

**1.** Heard Mr. R. Banerjee, learned Senior Counsel, Mr. D. Sharma, learned counsel for the applicant/appellant through video conferencing as well as Mr. A.K. Sahewalla, learned counsel for the applicant/appellant. Also heard Mr. D. Mozumder, learned Senior Counsel assisted by Mr. B. Kaushik, learned counsel for the respondent no.2; Mr .R. Chakraborty, learned counsel appears on behalf of HDFC Bank and Mr. K. Jain, learned counsel for the respondent no.1.

**2.** It is submitted on behalf of the appellant that the respondents have not complied with the order dated 28.01.2026, passed by this Court in I.A(Civil)

No.3983/2025.

**3.** The respondents went against this order up to the Supreme Court and the SLP (Civil) No.5070/2026 was dismissed which implies that the respondents have to take steps for compliance of the order passed by this Court but the respondents have not yet complied with the order of this Court.

**4.** Mr. R. Chakraborty, learned counsel appears on behalf of HDFC Bank submits that due to some restrictions imposed by the NSDL, the order could not be complied with and has also submitted that a written objection has been filed in connection with I.A(Civil) No.3982/2025.

**5.** Interim order shall remain in force till then.

**6.** In compliance of the order passed by the Supreme Court in SLP (Civil) No.5070/2026, dated 05.02.2026, this case is fixed for urgent hearing on 26.02.2026.

**JUDGE**

**Comparing Assistant**