

03.08.2026

Item no. ML39
Court No. 16

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

Case No.

FMAT 220 of 2026
with
CAN 1 of 2026
CAN 2 of 2026

In the matter of :

ANIL KAUSHIK & ANR.

...Appellants

VS.

SOURABH KHEMANI

...Respondent

For the Appellants :

Mr. Rachit Lakhmani

Ms. Devyani Ashra

Mr. U. Kaushik

...Advocates

For the Respondent :

Mr. Souradipto Banerjee

Mr. Tanuj Kakrania

Ms. Shreya Goenka

Ms. Surabhi Mehta

...Advocates

1. Affidavits of service filed today be kept on record.
2. At the outset, learned counsel for the respondent takes an objection to the condonation application on the ground that although the illness of the learned advocate-on-record for the petitioners has been cited as the reason for the delay, the learned advocate who was appearing on behalf of the appellants had, during the relevant period, appeared in other matters and filed affidavits in litigations between the self-same parties.

3. However, we find that no particular learned advocate has been named as the advocate-on-record in the condonation application.
4. At this juncture, learned counsel for the appellants seeks liberty to file a supplementary affidavit to disclose the name of the learned advocate whose illness has been cited in the condonation application as a reason for the delay in preferring the appeal.
5. Liberty is granted to the appellants to file such supplementary application within a week from date, with an advance copy to the learned advocate-on-record for the respondent. A composite affidavit-in-opposition to the condonation application as well as to the supplementary affidavit shall be filed by the respondent within a week thereafter. Reply thereto, if any, shall be filed within another week therefrom.
6. List the matter in the Monthly List of September, 2026 under the same heading.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)