

01.04.2026
Court No. 12
Item No. 02
Sandip

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

C.O.T. 55 of 2017
IA No : CAN 1 of 2026
CAN 2 of 2026
CAN 3 of 2026
CAN 4 of 2026

Century Plyboards (India) Limited & Anr.
-Versus-

The Secretary South 24 Parganas
Regulated Market Committee & Ors.

Mr. Saptangshu Basu, Sr. Adv.,
Mr. Ayan Banerjee,
Ms. Sudipa Bhattacharya
.....for the Cross-objectors
Mr. Shiv Shankar Banerjee,
Ms. Arijita Ghosh,
Mr. S. Chamria
....for the respondent nos.

1 & 2.

Mr. Vivekananda Basu,
Mr. Arkadipta Sengupta
....for the State.

- 1) CAN 1 of 2026, is an application for condonation of delay of 199 days in filing the application for restoration of the cross-objection.
- 2) Considering the averments made in Paragraphs 6 to 10 of the said application, we are satisfied that the explanation for the delay in filing the cross-objection is adequate.
- 3) Accordingly, CAN 1 of 2026 is allowed.
- 4) The delay is condoned.
- 5) The restoration application is regularized.

6) CAN 2 of 2026 is an application for restoration upon recalling the order dated June 10, 2025 dismissing COT 55 of 2017.

7) We are satisfied that the cross-objectors were prevented by sufficient cause from appearing before the Court when COT 55 of 2017 was called on and dismissed for default on account of non-appearance of the cross-objectors.

8) Accordingly, CAN 2 of 2026 is allowed.

9) COT 55 of 2017 is restored to its original file and number.

10) CAN 3 of 2026 is an application for condonation of delay of 1830 days in filing the application for substitution of the successor of the cross-objector no. 2.

11) Considering the averments made in the said application, we are satisfied that the explanation for the delay in filing the substitution application is adequate.

12) It appears that the time that was lost for not having approached the Court upon demise of the cross-objector no. 2 was the Covid pandemic. The cross objection No. 2 was one of the Directors of the company and as such steps were not taken within the time specified. The applicant is at present the director namely Rajesh Kumar Agarwal.

13) The delay is condoned.

14) The application for substitution is regularized.

15) Accordingly, CAN 3 of 2026 is allowed.

16) CAN 4 of 2026 is an application for substitution of writ petitioner no. 2/cross objector no. 2.

17) Accordingly, CAN 4 of 2026 is allowed by substituting Rajesh Kumar Agarwal, Director of the cross-objector no. 1 as the successor in interest of the cross-objector no. 2 and the cause title be amended. Accordingly his name be incorporated as cross-objector no. 2(b).

18) Liberty is granted to the cross-objectors to correct the cause title by incorporating the correct address of the cross-objectors.

19) All the applications are accordingly disposed of.

20) The office is directed to take steps to substitute the cross-objector as cross-objector no. 2(b) in the COT.

21) Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)