



2026:CHC-AS:375-DB

A-73
Ct No.16
05.01.2026
TN

FAT 469 of 2025
IA No: CAN 1 of 2025

Sanjiv Nandan Sahaya and others
Vs.
Poonawalla Fincorp Limited and another

Mr. Gopal Pahari,
Ms. Mandeep Kaur

.....for the appellants

Mr. Suman Dutt, Sr. Adv.,
Mr. Siddhartha Banerjee,
Ms. Soni Ojha,
Ms. Sambita B. Chatterjee

.....for the respondent no.2

1. Insofar as the defects pointed out by the Stamp Reporter are concerned, the deficit court fees have already been paid by the appellants; hence, the said defect stands cured.
2. Learned counsel for the appellants points out that the name of the defendant no.3 was struck off in the trial court itself, which is evident from the copy of the plaint annexed to CAN 1 of 2025.
3. In paragraph no. 29 of CAN 1 of 2025, it has also been stated that both the plaintiff nos. 3 and 4 died during pendency of the suit, upon which they left surviving their heirs and legal representatives who are already parties to the litigation.
4. As such, the other two defects regarding the names of the plaintiff nos. 3 and 4 and defendant no.3 having



been omitted from the cause title of the memorandum of appeal be also deemed to stand cured.

5. The application is now taken up for hearing.
6. At the outset, learned counsel for the respondents submits that certain documents which were part of the plaint and/or referred to in the plaint and were part of the application under Order VII Rule 11 of the Code of Civil Procedure have not been annexed to the present application for injunction.
7. Accordingly, the respondents are permitted to produce such omitted documents on the returnable date upon service of advance copies of those to the learned Advocate for the appellants.
8. The application shall next be listed for hearing on January 19, 2026 under the same heading.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)