

14. 11.03.2025  
Court No.16.

(Pritam)

**FA 86 of 2025**  
**with**  
**CAN 1 of 2024**

**Sri. Dibyendu Mondal & Ors.**

**-Vs.-**

**Smt. Arpita Bej & Ors.**

Mr. Arnab Roy,  
Mr. Satyam Mukherjee

.....for the appellants.

Mr. Amarendra Nath Ray,  
Mr. Nibedita Chandan Dey

.....for the respondent no.1.

1. A preliminary objection is taken by the learned advocate for the plaintiff/respondent no.1 to the effect that the affidavit supporting the application is not in form inasmuch as there is no averment therein that the deponent therein, that is, the appellant no.1 has been duly authorized by the other petitioners/appellants to file the application on their behalf, whereas the application has been described to be filed on behalf of all the appellants/petitioners.

2. There is substance in such contention of the respondent no. 1. Accordingly, the appellants are directed to file a supplementary affidavit incorporating necessary averments to the effect that CAN 1 of 2024 has been filed by the deponent therein on behalf of the

other petitioners as well and that he has been duly authorized by the other petitioners to do so. Such supplementary affidavit shall be filed, with an advanced copy to the learned advocate for the respondent no.1, on the returnable date.

3. The matter shall be listed next on March 18, 2025 under the same heading.

**(Sabyasachi Bhattacharyya, J.)**

**(Uday Kumar, J.)**