



IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APO/144/2016
WITH CS/45/2013
OCOT/19/2015
IA NO: GA/5/2016(Old No:GA/1808/2016), GA/7/2019, GA/9/2025

BHARAT COKING COAL LTD.
VS
TURNER MORRISON LIMITED & ORS.

BEFORE :
THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA
THE HON'BLE JUSTICE SUPRATIM BHATTACHARYA
Date : 25th February, 2026

Appearance :
Mr. Pranit Bag, Adv.
Mr. Debabrata Das, Adv.
Mr. Saptarshi Mukherjee, Adv.
Mr. Tirthankar Nandi, Adv. ...for appellant.

Mr. Rupak Ghosh, Adv.
Mr. Varun Kothari, Adv.
Mr. Subhransu Ganguly, Adv. ...for respondent. .

The Court : - Learned counsel appearing for the appellant submits that vide order dated September 24, 2025, the court had directed an account to be opened in the name of the suit positively on or before October 31, 2025.

Such account was opened and duly intimated to the respondents through counsel. However, the subsequent cheque, which was due to be deposited within November 10, 2025, was obtained only on November 27, 2025 and, as such, the same could be deposited in time. Accordingly, the subsequent deposits till date could not also be made, for which the appellant seeks acceptance of the said belated deposits upon condonation of delay and leave to deposit such arrears in terms of the order dated September 24, 2025.

Learned counsel appearing for the respondents points out that the prayer made in the application is defective to the extent that permission to deposit the dues with the Registrar, and not in the concerned bank account, has been sought for. Learned counsel appearing for the appellant clarifies that it is a typographical error.



Accordingly, on the prayer of the appellant, we modify the prayers made in the present application and, upon condonation of the delay in depositing the amounts due since November, 2025, the appellant is permitted to deposit the entire dues till date in the concerned account in the name of the suit by tomorrow [26.2.2026].

In the event such deposit is made, the same will be construed to be in consonance with the direction dated September 24, 2025.

It is made clear that the subsequent deposits shall be made by the appellant in time as per the direction dated September 24, 2025.

Needless to say, the HDFC bank, with which the concerned account has been opened, shall remit the dues of the respondents pursuant to the order dated December 20, 2019 in respect of the entire amount of such deposit.

GA/9/2025 is disposed of accordingly in the light of the above observations.

There will be no order as to costs.

(SABYASACHI BHATTACHARYYA, J.)

(SUPRATIM BHATTACHARYA, J)