

OD-4

IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE

IA NO. GA/1/2026  
CS/574/1985  
In RVWO/4/2026

ANDREW YULE AND CO LTD  
Vs  
SAMARENDRA NATH SHAW AND ANR

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 27<sup>th</sup> February, 2026.

APPEARANCE:

Mr. Rohit Banerjee, Adv.

Ms. Kanchan Jaju, Adv.

Mr. S. Kr. Agarwal, Adv.

Ms. Anushka Chatterjee, Adv.

...for the review applicant/petitioner

Mr. Sourav Kumar Mukherjee, Adv.

Ms. Sahana Pal, Adv.

...for the Respondents/plaintiffs

Ms. Dipanwita Ghosh, Adv.

Mr. R. Banerjee, Adv.

...Special Officer

1. Learned Advocates for the parties are present.
2. The application for condonation of delay GA/1/2026 in connection with RVWO/4/2026 is taken up for consideration.
3. Heard learned Advocates.
4. The applicant has furnished the ground for delay of eight days to prefer this review application. It is contended by the learned advocates that delay of 8 days is bona fide and it was caused due to the time taken by the learned Advocate to prepare the draft as

because the learned advocate was ill. Learned Advocate for the opposite party objects to the prayer and submits that the applicant has not clearly stated as to the grounds of delay. Secondly, from the pleadings the applicant has stated that they have approached the advocates as to whether there is any ground for review and thereafter they decided to file the review. Thus, it is not a ground which is contended in the petition for the delay, and is a suppression.

5. Upon hearing the learned Advocates and considering the ground furnished, this Court is of the view that considering the period of delay and the ground shown for the conduct of the applicant with regard to delay does not appear to be mala fide. Thus a liberal view should be taken with regard to the condonation of delay. Hence, the delay in filing this application for review is condoned.
6. The review application is also taken up for hearing.
7. Heard learned Advocate for the applicant.
8. Let this matter appear for further hearing on 20<sup>th</sup> March, 2026.

(BISWAROOP CHOWDHURY, J.)