

**In The High Court at Calcutta
[Commercial Division]
Original Side**

**IA NO. GA-COM/1/2026
In CS-COM/9/2026**

NATIONAL JUTE BOARD
Vs
YAJUR FIBRES LIMITED

**BEFORE :
THE HON'BLE JUSTICE ANIRUDDHA ROY
Date : April 20, 2026.**

Appearance :
Mr. Sudip Sanyal, Sr. Adv.
Mr. Surya Prasad Chattopadhyaya, Adv.
Md. Fida Rosul, Adv.
...for the plaintiff

Mr. Aurin Chakraborty, Adv.
Mr. Pradip Kumar Sarawagi, Adv.
...for the defendant

The Court :- This is an application filed by the defendant praying for extension of time to file written statement beyond the mandated **30 days** but within the mandated **120 days**, as mandated under **Rule 1 to Order VIII** of **CPC**, as amended.

Learned Senior Advocate, Mr. Sudip Sanyal, appearing for the plaintiff, has placed a report dated **April 2, 2026** issued by Deputy Sheriff, the same is taken on record. The report shows that the writ of summons was served on **February 13, 2026** along with a copy of the plaint.

The instant application has been taken out on **April 16, 2026**, admittedly, within the mandated **120 days** from the date of service of writ of summons.

Filing of written statement by the defendant, is a vested right unless taken away by law. In a commercial suit, after 120 days of the service of writ of summons, the law provides that defendant would forfeit its right to file written statement and if it is within 120 days but beyond the first 30 days, the Court has discretion to extend it.

Sufficient cause has been shown in the application and for the ends of justice, time to file written statement by the defendant stands **extended till seven working days** from date, subject to payment of costs of **Rs.10,000/-** to be paid to **Calcutta High Court Legal Services Committee**.

The money receipt showing the payment of costs shall be provided before the department and also to the learned Advocate on record for the plaintiff.

The department then shall accept the written statement and make it part of the record. The suit register shall reflect, accordingly.

With the above observations and directions, the instant application **GA-COM/1/2026** stands **allowed**.

(ANIRUDDHA ROY, J.)

Sbghosh

IA NO. GA-COM/1/2026
In CS-COM/9/2026
A.R., J.