

OD - 3

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE

T/3/2026
IA NO: GA/1/2026
ALEYA BIBI
VS

THE INITIATING OFFICER, BENAMI PROHIBITION UNIT, DCIT

BEFORE :
THE HON'BLE JUSTICE RAJARSHI BHARADWAJ
And
THE HON'BLE JUSTICE UDAY KUMAR
Date : 31st March, 2026

Appearance :
Mr. K.R. Thaker, Sr. Adv.
Mr. Aditya Kanodia, Adv.
Ms. Ankita Baid, Adv.
Mr.R.K. Thakur, Adv.
...for appellant.

Mr. Prithu Dudheria, Adv.
Ms. Sukanya Dutta, Adv.
...for respondent.

The Court : Supplementary affidavit filed by the appellant today in Court be kept with the record.

Heard learned counsels appearing for the parties.

The appeal is admitted on the following substantial questions of law for consideration :

- "I. Whether a subsequent order being made in unconnected proceedings, can be sufficient cause for extending the prescribed period for filing an application?
- II. Whether a subsequent order made in unconnected proceedings can be a ground for review?
- III. Whether possibility of discrimination amongst similarly situated litigants can be a ground for review?
- IV. Whether the Appellate Authority was bound by the dicta laid down by

the Hon'ble Supreme Court in a decision delivered earlier in point of time or a subsequent decision of Coordinate Bench?

V. Whether the Appellate Authority could have disregarded the latest decision of the Hon'ble Supreme Court in which is the issue at hand has been dealt with after consideration of previous decisions of the Hon'ble Supreme Court?"

As the appellant as well as the respondent are agreeable on the issue that the matter can be heard on the existing papers filed along with the application for stay being GA 1 of 2026, formality of preparing paper books are dispensed with. However, the respondent is requested to file supplementary affidavit, if any, within two weeks from date.

Settlement of index and all other formalities are also dispensed with.

Since the respondent is represented, service of notice of appeal stands dispensed with.

Let the matter be listed in the Monthly List of May 2026.

(RAJARSHI BHARADWAJ, J.)

(UDAY KUMAR, J.)

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