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ORDER SHEET
T/5/2026
IA NO:GA/1/2026, GA/2/2026
IN THE HIGH COURT AT CALCUTTA
SPECIAL JURISDICTION
ORIGINAL SIDE

M/S JALDHAM PROPERTIES PVT. LTD.
VS
THE INITIATING OFFICER, BENAMI PROHIBITION UNIT, KOLKATA

BEFORE:
The Hon'ble JUSTICE RAJARSHI BHARADWAJ
AND
The Hon'ble JUSTICE UDAY KUMAR
Date: 2nd July, 2026.

Appearance:
Mr. J.P. Khaitan, Sr. Adv.
Ms. Anupa Banerjee, Adv.
Ms. Sretapa Sinha, Adv.
Mr. Rohan Shaw, Adv.
...for the appellant

Mr. Shiv Shankar Banerjee, Adv.
Ms. Sukanya Dutta, Adv.
...for the respondent

The Court: We have heard learned advocates on either side.

There is a delay of 108 days in filing the appeal. We are satisfied with the explanation offered for not preferring the appeal within time. Therefore, the delay is condoned. The application being GA 1 of 2026 is allowed.

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

“(i) Whether upon the respondent’s review petition, the Tribunal was justified in law in recalling its order dated 29.11.2023, whereby the appeal of the appellant had been allowed and restoring the appeal for a fresh decision ?”

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 2 of 2026, formality of preparing paper books are dispensed with. However, the respondent is requested to file supplementary affidavit, if any, on or before the returnable 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 appear in the list on 17th July, 2026 under the heading ‘To Be Mentioned’.

(RAJARSHI BHARADWAJ, J.)

(UDAY KUMAR, J.)