

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IA NO. GA-COM/3/2026
In
AP-COM/483/2024

DAMODAR VALLEY CORPORATION

VS

SETH & ASSOCIATES

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 24th February, 2026.

Appearance:

Mr. Anirban Ray, Sr. Adv.
Mr. Swarajit Dey, Adv.
Mr. Saptarshi Kar, Adv.
...for the applicant

Mr. Sujit Banerjee, Adv.
Mr. Nilay Sengupta, Adv.
Ms. Sunanda Samanta, Adv.
Mr. M. Gupta, Adv.
...for the respondent

IA NO. GA-COM/3/2026

The Court: Affidavit of service is taken on record.

The present application has been filed by the petitioner seeking condonation of delay in renewing and re-submitting the bank guarantee in terms of the order dated 20th September, 2018 and for a direction upon the Registrar, Original Side to accept and take on record the renewed bank guarantee.

Mr. Ray, learned Senior Counsel appearing for the petitioner submits that by order dated 20th September, 2018, this Court directed the petitioner to deposit a sum of Rs.48,74,157/- by way of cash deposit with the Learned Registrar, Original Side and to also secure the remaining amount of Rs.1,06,77,208/- by furnishing a bank guarantee issued by a nationalised bank in favour of the Registrar, Original Side within two weeks from the date of the said order. In compliance thereof, the petitioner had deposited the sum of Rs. 48,74,157/- as cash security and also furnished the original bank guarantee dated 28th November, 2018 valid till 27th November, 2019 for a sum of Rs. 1,07,83,981/- issued by Punjab National Bank, Shakespeare Sarani Branch, Kolkata, in favour of the Learned Registrar, Original Side. However, owing to inadvertent delay caused by the interdepartmental administrative restructuring within the petitioner's organisation, the bank guarantee could not be renewed within time. The petitioner now renewed the bank guarantee with validity up to 27.11.2026. Since there has been a delay in renewal, the Registrar, Original Side declined to accept the same without appropriate orders of this Court. Hence, the petitioner has preferred the present application.

Having considered the reasons assigned in the application and being satisfied that the delay is neither deliberate nor intentional, this Court deems it appropriate to condone the delay in renewal and submission of the bank guarantee.

The petitioner is directed to deposit the renewed bank guarantee before the Registrar, Original Side within two days from date and the Registrar, Original Side is directed to accept the same on record.

With the aforesaid directions, the present application stands disposed
of.

(GAURANG KANTH, J.)

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