

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AD-COM/3/2026
IA NO: GA-COM/1/2026, GA-COM/2/2026

AMBOOTIA TEA EXPORTS PRIVATE LIMITED
VS
SRI RANI SATI ABASAN PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK
AND

The Hon'ble JUSTICE MD. SHABBAR RASHIDI
Date :June 16, 2026.

Appearance:

Mr. Sakya Sen, Sr. Adv.
Mr. Avirup Chatterjee, Adv.
Mr. Rishov Das, Adv.
...for the appellant.

Mr. AniruddhaMitra, Sr. Adv.
Mr. Deepnath Roy Chowdhury, Adv.
Mr. TamoghnaSaha, Adv.
...for the respondent.

The Court: GA-COM/1/2026 is an application for condonation of delay in making and filing the appeal.

The appellant seeks to prefer an appeal against the judgment and decree dated February 5, 2026.

By the impugned judgment and decree, learned Single Judge, disposed of two applications. One application was at the behest of the plaintiff to the suit by which, the plaintiff was seeking a decree on basis of judgment upon admission. Such application was registered as GA/3/2024. The other application that was disposed of by the learned Single Judge is an application under Order 7 Rule 11 of the Code of Civil Procedure, 1908 registered as GA/4/2024 filed at the behest of the appellant.

Learned Senior Advocate appearing for the appellant submits that, the present appeal is limited to the decision rendered in the application for judgment upon admission being GA/3/2024.

There is a delay in preferring the appeal.

Delay of 43 days is sought to be explained on the basis of the time taken by the learned Advocates to prepare and file the appeal.

On the principle that, acts of an Advocate should not befall the litigant with adverse consequences, we deem it appropriate to accept the causes shown. Delay in making and filing the appeal is condoned. GA-COM/1/2026 is allowed.

Appellant will prepare informal paper book incorporating all papers used before the learned Single Judge leading up to the judgment and decree.

List the appeal on June 22, 2026.

GA-COM/1/2026 is disposed of accordingly.

Appellant seek interim protection pending the appeal.

Learned Senior Advocate appearing for the respondent submits that, the respondent will not proceed with the execution till July 31, 2026 or until further orders, whichever is earlier.

Such submission is placed on record.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)