

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

IA NO. GA/4/2026
In
CS/53/2025
MOHUA MULLICK AND OTHERS
Vs
INDIRA ROY AND ANOTHER

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 19th February, 2026.

Appearance:
Mrs. Anisha Kochar, Adv.
Ms. Ajeyaa Choudhury, Adv.
For plaintiffs
Mr. Rahul Karmakar, Adv.
Ms. Papiya Roy, Adv.
For defendant no.1

The Court:-This is an application by the defendant no.1 in an administration suit for condoning the delay and to accept the written statement. The writ of summons was received by the defendant no.1 on 13th September, 2025. The defendant no. 1 was required to file the written statement within the 21 days from the date of receipt of the writ of summons. On self assessment, the defendant no.1 says that there is a delay of 118 days in making this application. The written statement has been affirmed on 15th January, 2026. It is submitted by the defendant no.1 that the said written statement is with a counter-claim. Although, the explanation given for the delay are not convincing ones, yet for the ends of justice, the time to file the written statement is extended till 27th February,

2026 subject to payment of costs assessed at Rs.5000/- payable to the High Court Legal Services Authority. The payment of cost is a pre-condition for accepting the written statement

The department shall accept the written statement affirmed on 15th January, 2026 on being presented within the extended time period and the same is in proper form and order, subject to payment of cost as awarded. In the event there is a counter-claim, the defendant no.1 has to put in the requisite court fees for the same.

Immediately after the written statement is filed a copy of the same with legible annexures be served on the advocate for the plaintiffs.

Nothing further remains to be adjudicated in this application. The application is, accordingly, disposed of.

Since I have not called for any affidavit, allegations contained in the application are deemed not to have been admitted by the plaintiffs.

(ARINDAM MUKHERJEE, J.)

Sb/