

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

IA No. GA/6/2026
In
CS/153/2024
EASTERN INDIA EDUCATIONAL INSTITUTION AND ANR.
VERSUS
ANAMIKA LODHA AND ORS.

IA No. GA/6/2026
In
CS/155/2024
HINDUSTAN MEDICAL INSTITUTION AND ANR.
VERSUS
ANAMIKA LODHA AND ORS.

IA No. GA/6/2026
In
CS/156/2024
BELLE VUE CLINIC AND ANR.
VERSUS
ANAMIKA LODHA AND ORS.

IA No. GA/2/2026
In
CS/159/2024
M.P.BIRLA MEDICAL RESEARCH CENTRE AND ANR.
VERSUS
ANAMIKA LODHA AND ORS.

IA No. GA/2/2026
In
CS/164/2024
M.P. BIRLA INSTITUTE OF FUNDAMENTAL RESEARCH AND ANR.
VERSUS
ANAMIKA LODHA AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 20th July, 2026

Appearance:

Mr. Krishnaraj Thaker, Sr. Adv.
Mr. Debartha Chakraborty, Adv.
Mr. Naman Choudhury, Adv.
Ms. Siddhi Agarwal, Adv.
Mr. Sagar Dutta, Adv.
For the petitioners in item no.2.

Mr. Krishnaraj Thaker, Sr. Adv.
Mr. Debartha Chakraborty, Adv.
Ms. Siddhi Agarwal, Adv.
Mr. Sagar Dutta, Adv.
For the petitioners in item no.3.

Mr. Nalim Kohli, Sr. Adv.
Mr. Debartha Chakraborty, Adv.
Mr. Anshumann, Adv.
Ms. Siddhi Agarwal, Adv.
Mr. Sagar Dutta, Adv.
For the petitioners in item no.4.

Mr. Aniruddha Chatterjee, Sr. Adv.
Mr. Suddhasatva Banerji, Adv.
Mr. Debartha Chakraborty, Adv.
Mr. Sagar Dutta, Adv.
For the petitioners in item no.5.

Mr. Anirban Ray, Sr. Adv.
Mr. Debartha Chakraborty, Adv.
Ms. Siddhi Agarwal, Adv.
Mr. Sagar Dutta, Adv.
For the petitioners in item no.6.

Mr. Abhrajit Mitra, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Sanjiv Kumar Trivedi, Adv.
Mr. Sarvapriya Mukherjee, Adv.
Mr. Soumya Roy Choudhury, Adv.
Mr. Satadeep Bhattacharyya, Adv.
Mr. Sanket Sarawagi, Adv.
Mr. Altamash Alim, Adv.
Ms. Sriparna Mitra, Adv.
Mr. Aman Agarwal, Adv.
Mr. Samriddha Sen, Adv.

For Harsh Vardhan Lodha & Anamika Lodha in item nos. 2 to 6.

Mr. Ranjan Bachawat, Sr. Adv.
Mr. Jishnu Choudhury, Sr. Adv.
Mr. Sayan Roy Chowdhury, Adv.

Mr. Satyaki Mukherjee, Adv.
 Mr. Navneet Misra, Adv.
 Mr. Bhavesh Garodia, Adv.
 For Pradip Tandan in item nos. 2, 3 & 5.

Mr. Ranjan Bachawat, Sr. Adv.
 Mr. Jishnu Choudhury, Adv.
 Mr. Sayan Roy Chowdhury, Adv.
 Mr. Satyaki Mukherjee, Adv.
 Mr. Navneet Misra, Adv.
 Mr. Bhavesh Garodia, Adv.
 For Asim Chattopadhyay in item nos. 4 & 6.

The Court:- Perused the report filed by the Registrar, Original Side of this Court dated 17th July, 2026 submitted in terms of the order dated 14th July, 2026.

On a perusal of the report it appears that CS/153/2024, CS/155/2024 and CS/156/2024 have not been assigned to any Bench. However, the applications being GA/1/2024 filed separately in all the three suits have been specially assigned to a co-ordinate Bench (Shampa Sarkar, J).

This bench by an order dated 15th July, 2025 had released from its list CS/159/2024 and CS/164/2024 along with the applications filed therein on the consideration that GA/1/2024 filed in CS/153/2024, GA/1/2024 filed in CS/155/2024 and GA/1/2024 filed in CS/156/2024 will require the Court to consider more or less identical issues raised in GA/1/2024 filed in CS/159/2024 and GA/1/2024 filed in CS/164/2024.

After hearing the parties, it appears that a resolution was taken on 4th March, 2021 by the trust involved in each of the suit through its managing trustee for removal of one of the trustees. The challenge to this resolution is pending but as submitted by the learned Senior Advocates representing the plaintiffs in the aforesaid suits that invalidity of the resolution dated 4th March,

2021 has stood for scrutiny before the Court in same or collateral proceeding and neither the Division Bench of this Court nor the Hon'ble Supreme Court has interfered with the same. The issue in GA/1/2024 filed respectively in CS/153/2024, CS/155/2024 and CS/156/2024 is the validity of a resolution dated 26th February, 2024 by which a contrary step to the resolution dated 4th March, 2021 has been taken.

In the backdrop of the facts as stated hereinabove, the co-ordinate Bench before whom GA/1/2024 filed in all the five suits i.e. CS/153/2024, CS/155/2024, CS/156/2024, CS/159/2024 and CS/164/2024 have been assigned will in all likelihood consider the validity of the resolution dated 4th March, 2021 to consider as to whether the resolution dated 26th February, 2024 is valid or not. There will, as such, be overlapping issues.

It is also the case of the plaintiffs that in view of the judgment of the Hon'ble Supreme Court dated 26th May, 2026 wherein the supremacy of the Board of Trustee has been upheld impliedly holds the resolution dated 4th March, 2021 is valid. This fact, however, disputed by the defendants.

In the aforesaid facts and circumstances, the applications being GA/6/2026 filed in CS/153/2024, GA/6/2026 filed in CS/155/2024, GA/6/2026 filed in CS/156/2024 and GA/2/2026 filed in CS/159/2024 and GA/2/2026 filed in CS/164/2024 are released from the list of this Bench.

It is made clear that in order to avoid further complication CS/153/2024, CS/155/2024 and CS/156/2024 in the facts and circumstances as aforesaid are treated as on the day's list by consent of the parties and are also, accordingly, released since the other suits being

CS/159/2024 and CS/164/2024 have been released by this Bench.

The parties will be at liberty to approach the concerned Department/Registry for immediate assignment thereof.

(ARINDAM MUKHERJEE, J.)

snn.