

OD-12

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

IA NO. CA/3/2017 (Old No:
CA/534/2017)
In
CP/536/2016

RE:
FAIR VIEW TRADECOM PVT. LTD.(IN LIQN)-
AND
SURJIT SINGH CHOWDHURY
-VS-
THE O/L, HIGH COURT, CALCUTTA

BEFORE:
The Hon'ble JUSTICE OM NARAYAN RAI
Date : 12th August, 2026

Appearance:
Mr. Chayan Gupta, Adv.
Mr. Debayan Ghosh, Adv.
Mr. Deepankar Thakur, Adv.
Mr. S. Nandy, Adv.
...for the petitioner.

Ms. Tanushree Dasgupta, Adv.
...for the Official Liquidator.

Mr. Dip Narayan Chowdhury.
...Official Liquidator.

The Court:- By the order dated January 10, 2018 directions for exchange of affidavits had been passed. However, no affidavit-in-opposition is there on the record.

It is submitted by Mr. Gupta, learned advocate appearing for the petitioner that during pendency of this application, the original applicant, *i.e.*, father of the present petitioners expired and as such the present petitioners have been substituted in his place and stead.

Mr. Gupta, learned advocate appearing for the petitioner submits that the original petitioner had been served with a copy of the affidavit-in-opposition and he had affirmed an affidavit-in-reply to the affidavit in opposition served upon him by the Official Liquidator.

It is submitted that since the present petitioners have been substituted upon the death of the original petitioner and the affidavit-in-reply has not been filed prior to the death of the original petitioner, therefore, leave be granted to the present petitioners to re-affirm the said affidavit and file the same on the returnable date. Leave is granted as prayed for. Let the affidavit in reply be reaffirmed before the returnable date.

Learned advocate appearing for the Official Liquidator is presently not in a position to file the affidavit-in-opposition which is stated to have been affirmed by the Official Liquidator on January 24, 2018.

In such view of the matter, as prayed for, leave is also granted to the Official Liquidator file the affidavit-in-opposition which is stated to have been affirmed on January 24, 2018 on or before the returnable date or in case the same cannot be traced out, to reaffirm the same, before the returnable date.

List this matter on September 2, 2026.

(OM NARAYAN RAI, J.)