

OCD-10

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
COMMERCIAL DIVISION

APDT/25/2025
With CS/1777/2018
IA No. GA-COM/1/2025, GA-COM/2/2025

STARLITE VYAPAAR PVT LTD
-Vs-
SNG FASHIONS PVT LIMITED

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: February 10, 2026.

Appearance:

Mr. Shuvasish Sengupta, Adv.
Mr. Soumyajit Mishra, Adv.
...for the appellant

Mr. Varun Kothari, Adv.
Mr. Dhruv Surana, Adv.
...for the respondent

The Court : IA No. GA-COM/1/2025 is an application for
condonation of delay.

Department reports a delay of 115 days.

In the application for condonation of delay, the appellant makes out
a case that, it engaged the present advocate-on-record for the purpose of
preferring an appeal. However, due to mistake of the advocate-on-record,
appropriate application for obtaining certified copy of the judgment and
decree was not put in and delay in preferring the appeal was occasioned.

Purely on the principle that, fault of the advocate, if any, should not visit the litigant, we are inclined to accept the causes shown for condonation of delay as sufficient.

Delay of 115 days in making and filing the appeal is condoned.

IA No. GA-COM/1/2025 is allowed.

Appellant seeks to prefer an appeal from the judgment and decree dated April 3, 2025.

By the impugned judgment and decree, learned Trial Judge was pleased to dismiss the suit.

Appellant will prepare informal paper books incorporating all papers used before the learned Single Judge within four weeks from date.

List the appeal in the monthly list of April, 2026.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)