

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE

IA No. GA/1/2026  
In  
CS/117/2025

PALLOB BANERJEE  
VERSUS  
NANDU KISHINCHAND BELANI

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 10<sup>th</sup> June, 2026

Appearance:  
Mr. Shounak Mukhopadhyay, Adv.  
Mr. T. Dasgupta, Adv.  
Ms. A. Agarwal, Adv.  
For the plaintiff.

Mr. Aditya Mondal, Adv.  
Mr. K. Raihan Ahmed, Adv.  
For the defendant.

The Court:- Affidavit of service filed in Court today is taken on record.

This is an application for judgment on admission under the provisions of Order XII Rule 6 of the Code of Civil Procedure, 1908 (in short, CPC) with a prayer for furnishing security.

It is submitted by the plaintiff that the suit is for realization of money lent and advanced. The defendant had admitted to refund the principal outstanding sum but have ultimately failed and neglected to do so which has

given rise to the filing of the suit and the instant application. The learned Advocate for the sole defendant seeks time to take instruction regarding the admission to pay the outstanding sum as contended by the plaintiff.

After hearing the parties, I find no necessity to adjourn the matter to enable the learned Advocate for the defendant to take further instruction. The matter requires to be heard on affidavit(s). Since the claim is realization of money lent and advanced, the defendant is permitted to file an affidavit wherein he shall apart from dealing with the allegations contained in the application provide the details of the movable and immovable properties owned by the defendant in view of the ratio laid down in the judgment reported in **(2021) 6 SCC 418 (Rahul S. Shah-Versus-Jinendra Kumar Gandhi & Ors.)**.

Let affidavit-in-opposition be filed by 7<sup>th</sup> July, 2026. Affidavit-in-reply thereto, if any, be filed by 28<sup>th</sup> July, 2026.

Let this matter appear in the monthly list of August, 2026.

(ARINDAM MUKHERJEE, J.)