

ORDER SHEET

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

IA No. GA/3/2023  
In  
CS/156/2023

AMALGAMATED FUELS LIMITED  
VERSUS  
NIRANJAN LAL AGARWAL

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 27<sup>th</sup> January, 2026.

Appearance:

Mr. Sarosij Dasgupta, Adv.

Mr. A. Kankani, Adv.

Ms. Shree Chatterjee, Adv.

For the plaintiff.

Mr. Soumyadeb Sinha, Adv.

Ms. Suranjana Chatterjee, Adv.

For the defendant.

The Court: It is submitted on behalf of the plaintiff a special leave petition has been filed against the judgment and order of the Special Bench delivered on **18<sup>th</sup> June, 2025** in **IA No. GA-COM/2/2024 in CS(COM) No. 4 of 2023 (T.E. Thomson & Company Limited-Vs.- Swarnalata Chopra Nee Kapur & Anr.)**. The judgment and order in **Dipak Polymers** which fell for consideration before the Special Bench has also been challenged in an earlier special leave petition. It is likely that the two petitions will be heard by the Hon'ble Supreme Court in recent future. The decision of the Hon'ble Supreme Court in either way, i.e. upholding the view expressed in **Dipak Polymers** or affirming the view of the Special Bench in **T.E. Thomson & Company Limited** shall have a direct effect on this matter which is also an eviction suit.

In the aforesaid facts and circumstances, let this application on the prayer of the plaintiff be adjourned and shall appear in the monthly list of April, 2026.

The parties will, however, be at liberty to mention preponing the returnable date if the decision of the Hon'ble Supreme Court is available prior thereto.

(ARINDAM MUKHERJEE, J.)

snn.