

IA No.GA-COM 6 of 2025  
IN  
AS-COM 7 of 2024  
IN THE HIGH COURT AT CALCUTTA  
ADMIRALTY JURISDICTION  
ORIGINAL SIDE  
(COMMERCIAL DIVISION)

PATANJALI FOODS LIMITED  
VS  
M. T. ERAWAN 12 (IMO NO. 9301366) AND ANR.

BEFORE:  
The Hon'ble JUSTICE ARINDAM MUKHERJEE  
Date: 19<sup>th</sup> January, 2026.

Appearance :  
Mr. Rohit Mkukherji, Adv.  
Mr. Ratul Deb Banerjee, Adv.  
. . for the defendant no.2/applicant.  
  
Ms. Rituparna Chatterjee, Adv.  
Mr. Shashwat Nayak, Adv.  
Ms. Megha Yadav, Adv.  
. . . for plaintiff.

The Court : This is an application by the defendant no.2 for condoning the delay and accepting the extended bank guarantee dated 13<sup>th</sup> December, 2024 furnished pursuant to orders passed by this Court on 2<sup>nd</sup> December, 2024 in favour of the learned Registrar Original Side.

The bank guarantee given on 13<sup>th</sup> December, 2024 expired on 12<sup>th</sup> December, 2025 but was not renewed by the bank despite request from the defendant no.2 as claimed. The conduct of the defendant no.2 is not appreciated as they were aware from day one that the bank guarantee will expire on the expiry of 12<sup>th</sup> December, 2025 and as such should have taken

steps for its renewal much before hand. Although, the defendant no.2 tries to shift the responsibility upon the bank stating that they have been corresponding with the bank but the bank did not renew the same from the date immediately upon expiry of the initial term but the same is also not convincing. The bank is also not before the Court and as such, the allegations made by the defendant no.2 against the bank cannot be ascertained.

Be that as it may, since the bank guarantee has been extended till 12<sup>th</sup> December, 2026, the delay is condoned. The defendant no.2 is permitted to submit the original bank guarantee extended upto 12<sup>th</sup> December, 2026 with the department by 21<sup>st</sup> January, 2026.

The application being GA-COM 6 of 2025 is disposed of.

Since I have not called for any affidavit, the allegations contained in the application are deemed to have not been admitted by the plaintiff.

(ARINDAM MUKHERJEE, J.)