

**In The High Court at Calcutta
Commercial Division
Original Side**

**IA NO. GA-COM/9/2026
[OLD NO CS/390/2014]
In CS-COM/60/2024**

SWADHA BUILDERS PVT. LTD & ORS,
Vs
NABARUN BHATTACHARJEE AND ORS.

**BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date : July 27, 2026.**

Appearance:
Mr. Ranajit Chowdhury, Adv.
Mr. Sudipto Chowdhury, Adv.
Ms. Sampurna Saha, Adv.
...for the added party

Mr. Suddhasatva Banerjee, Adv.
Mr. Pranit Bag, Adv.
Ms. Rituparna Chatterjee, Adv.
Ms. Khusboo Chowdhury, Adv.
Ms. Ayesha Kedia, Adv.
...for the plaintiffs

Mr. Rupak Ghosh, Adv.(v/c
...for the respondent nos. 4 and 5

The Court: Mr. Suddhasatva Banerjee, learned advocate appears
for the plaintiffs.

Mr. Ranajit Chowdhury, learned advocate appears for the
proposed party to be impleaded in the suit.

None appears for the rest of the defendants.

This is an application for addition of party by formally
impleading the relevant Asset Reconstruction Company as named in
prayer (a) to the application.

The parties admit that the original debt of the Bank had been
assigned in favour of the said Asset Reconstruction Company. Hence,
the prayer for impleadment.

Considering the submissions made on behalf of the parties and considering the case made out in the application and the reliefs claimed therein, the application stands **allowed** in terms of the **prayer (a)** thereto.

The necessary impleadment shall be caused by amending the plaint positively **within four weeks** from date.

The department shall carry out the amendment positively within the said period of **four weeks**.

Plaintiffs shall re-verify the plaint and re-affirm the affidavit wherever it is necessary within the said period of **four weeks**.

A copy of the amended plaint then shall be served upon all the defendants and an affidavit of service shall be filed in the department, which shall be kept in the original suit file.

After this stage is over, the parties shall be at liberty to mention the matter upon notice to each other for considering the point whether a fresh writ of summons shall have to be lodged and served upon all the existing defendants in the plaint or only to the extent of the added defendant.

(ANIRUDDHA ROY, J.)

Arsad