

ITEM NO.6

COURT NO.8

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.12359/2026

[Arising out of impugned final judgment and order dated 03-02-2026  
in APOT No.5/2026 passed by the High Court at Calcutta]

ASHOK CHAUDHRY

Petitioner

VERSUS

SURENDRA SINGH BENGANI

Respondent

FOR ADMISSION

Date : 28-04-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) : Mr. Amit Sibal, Sr. Adv.  
Ms. Neha Sharma, AOR  
Mr. Deeptakirti Verma, Adv.  
Ms. Smriti Nair, Adv.  
Mr. Darpan Sachdeva, Adv.  
Ms. Ekta Pradhan, Adv.  
Mr. Anil Agarwalla, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. The High Court while decreeing the suit has not adverted to the objection raised by the petitioner-judgment debtor, that the plaintiff-decree holder did not possess the requisite license under the Bengal Money Lenders Act, 1940 and, therefore, no decree could have been passed in terms of Section 13 thereof. This is one of the points of substance argued by Mr. Amit Sibal, learned senior counsel for the petitioner-judgment debtor.
2. *Prima facie*, an arguable case appears to have been set up for issuance of

notice to the respondent (plaintiff-decree holder) as well as *ad-interim* stay.

3. Issue notice.

4. Till the next date of hearing, there shall be stay of operation of the impugned decree.

**(MANIK KUMAR)**  
**SENIOR PERSONAL ASSISTANT**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**