

In The High Court at Calcutta
[Commercial Division]
Original Side

IA NO. GA-COM/3/2025
[OLD NO CS/67/2023]
In
CS-COM/489/2024

VINEET CHOUDHARY
Vs
BANK OF BARODA AND ORS.

BEFORE :
THE HON'BLE **JUSTICE ANIRUDDHA ROY**
Date : 19th March, 2026

Appearance:
Mr. Varun Kothari, Adv.
Mr. Vishwarup Acharyya, Adv.
...for the plaintiff

Mr. Dipanjan Datta, Adv.
Ms. Esha Basak, Adv.
...for the defendant

The Court :- Pursuant to the earlier direction of the Court, time to file affidavit-in-opposition stands extended till today.

The affidavit-in-opposition filed in Court today is taken on record.

The affidavit-in-reply filed by the plaintiff/applicant is already on record.

This is an application for restoration of a restoration application which was dismissed on **July 22, 2025**. The parent dismissal order is dated **November 25, 2024**.

Mr. Varun Kothari, learned Advocate, appears for the plaintiff/applicant. He submits that in view of the grounds mentioned in the application being cogent and sufficient, the delay of about 105 days in

presenting this application be condoned and the order of dismissal be recalled.

Ms. Esha Basak, learned Advocate, led by Mr. Dipanjan Datta, learned Advocate appearing for the defendant no.1 has opposed this application vehemently and rigorously. She submits that the grounds shown are not sufficient to be considered for condonation of the huge delay.

After considering the rival submissions made on behalf of the parties and on perusal of the materials on record and for the ends of justice and further keeping in mind that procedural laches shall not be the cause to suffer substantial justice, the grounds are accepted to be just and cogent.

Sufficient grounds being shown, the delay stands condoned subject to payment of cost of **Rs.25,000/-** to be paid by the plaintiff to the defendant no.1. The account details and particulars of the defendant no.1 shall be communicated by the learned Advocate-on-Record for the defendant no.1 to the learned Advocate-on-Record for the plaintiff within seven days from date and the plaintiff shall deposit the cost within a further period of seven days from the date of receiving the account details.

Subject to above terms, the delay shall be condoned and the order dated **July 22, 2025** shall be recalled.

On the above terms, **IA NO. GA-COM/3/2025** stands disposed of.

(ANIRUDDHA ROY, J.)

R.Bhar/R.D.Barua