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IA No.GA/2/2026
In APOT/70/2025

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
Original Side

USHA KHEMKA

-VERSUS-

REKHA BAJAJ AND ORS.

BEFORE :

THE HON'BLE JUSTICE DEBANGSU BASAK

And

THE HON'BLE JUSTICE MD. SHABBAR RASHIDI

Date : 29th January, 2026.

Appearance:

Ms. Usha Khemka (in person)
...the appellant.

Mr. Subir Banerjee, Adv.
...for the respondent Nos.3-5 & 7.

The Court :- IA No.GA/2/2026 is an application for restoration.

Appellant appears in person.

Appellant is a lady.

Appellant was sought to be represented by a constituted attorney on the earlier date. Finding that we informed the constituted attorney that since she was not an Advocate she cannot be permitted to represent the appellant. We adjourned the matter in order to allow the appellant to engage an advocate.

Today appellant appears in person. We repeatedly enquired of her as to whether she would like to engage an advocate for herself. The answer is that she wants her daughter to represent her as her constituted attorney.

We are of the view that since the person through whom the appellant seeks representation is not a qualified advocate, such person cannot be allowed to represent and act as an advocate in a Court of law on behalf of the appellant.

The application for restoration is verified by a constituted attorney. The ground for restoration is that the constituted attorney could not be present when the matter was called on. The constituted attorney is not an advocate.

The grounds shown, therefore, cannot be accepted as sufficient.

In such circumstances, we are not in a position to allow the application for restoration.

Accordingly, IA No.GA/2/2026 is dismissed.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)