01.10.2026
Ct. No. 17
Sl. No. 7
RANJAN

RVW 60 of 2026
IA NO. CAN 1/2026
CAN 2/2026

M.R. HOSPITAL AND DIAGNOSTICS
VS.
SHUBHAM TIE-UP TRADE PRIVATE LIMITED AND ANR.

Mr. Monoj Kumar Roy
Mr. Parimal Kumar Chakroborty
..... for the petitioner

Mr. T.M. Siddiqui
Mr. Farooque Ali
Mr. F.M. Zafar
.... for the respondents

CAN 2 of 2026

This is an application seeking condonation of delay.

It is submitted on behalf of the applicant that there has been delay of 15 days in the filing of this application.

The respondent is represented.

Upon consideration of the averments in the application, it appears that there are sufficient reasons and causes as to why the applicant was unable to file this application within the prescribed time period.

CAN 2 of 2026 stands allowed. The delay in fling this application stands condoned.

RVW 60 of 2026

This is an application seeking review of an order dated 14.01.2026.

By an order dated 14.01.2026, this Court had dismissed a revisional application on the ground that since the 120 days mandatory period for filing of a Written Statement had statutorily expired there was no basis for extending the time to file the Written Statement.

It appears from the order dated 14 January, 2026 order that after consideration of the facts and circumstances and the necessary decisions cited by the parties, the right of the applicant to file the Written Statement had been rejected.

On behalf of the applicant/defendant, it is submitted that the order dated 14.01.2026 is liable to be reopened on the ground that there has been an error on the face of the records inasmuch as the Trial Courts fixation of the time to file the Written Statement has not been adhered to. It is also submitted on behalf of the applicant that the result in rejecting the defence will cause severe prejudice to the applicant. In such

circumstances, an act of Court cannot prejudice the right of the applicant.

On behalf of the respondents/plaintiffs, it is submitted that there are no grounds whatsoever warranting review of the order dated 14.01.2026. The order has been passed after consideration of the facts and circumstances of the case and the relevant authorities.

Upon consideration of the submissions of the parties there is no merit whatsoever in this application for review. The admitted position remains that the mandatory 120 days period under the Commercial Courts Act, 2015 had statutorily expired and in view of the mandatory language of the Code the same cannot be extended.

In such circumstances, RVW 60 of 2026 stands dismissed. However, there shall be no order as to costs.

[RAVI KRISHAN KAPUR, J.]