

19.05.2026
Item No.15 (DL)
Court No.06
AJ.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 1487 of 2026

**Jainco Automotive Private Limited
-Vs-
Central Bank of India**

Mr. Jitendra Singh Dhatt,
Ms. Aparna Koiri.
.....for the petitioner.

1. By this revisional application, the petitioner complains of *“violation of the natural justice and preferring technical glitches over substantial justice and prejudged the case by orders dated 02.07.2025, 03.12.2025, 18.03.2026 and dated 10.04.2026 passed by the National Company Law Tribunal, Kolkata Bench (hereinafter ‘NCLT’) in the Company Petition C.P. (IB) No. 95/KB/2024, (Central Bank of India –Vs- Jainco Automotive Private Limited)”*.

2. Mr. Dhatt learned advocate appearing for the petitioner submits that the petitioner has not been granted any opportunity to file reply to the supplementary affidavit filed by the Bank and that the orders impugned should be set aside as the same have been passed in violation of principles of natural justice. He submits that the NCLT has prejudged the matter and has proceeded to hear the main matter without deciding the petitioner’s application for recalling of an order imposing costs while extending time to file reply to the supplementary affidavit.

3. Having heard Mr. Dhatt, learned Advocate appearing for the petitioner and having considered the material-on-record, this Court is not inclined to exercise discretion in favour of the petitioner and entertain this application under Article 227 of the Constitution of India, at this stage when the matter has already been reserved for orders by the NCLT.

4. The orders passed by the NCLT which form part of the records also do not support the petitioner's case. It is evident that by an order dated July 02, 2025 affidavit was directed to be filed by the financial creditor. The order dated October 13, 2025 reveals that the corporate debtor had sought time to file reply through e-filing mode while submitting that an advance copy had been provided to the financial creditor. The matter was fixed next on November 06, 2025.

5. The next order passed on December 03, 2025 indicates that reply affidavit had not yet been filed even till that date. In such view of the matter time to file reply was extended by the NCLT by a week upon payment of costs of Rs.1,00,000/- to Prime Minister's Relief Fund.

6. Such order was never attempted to be challenged at any time prior to the hearing being concluded and judgment being reserved by the NCLT on April 10, 2026.

7. It further appears that by the order dated March 18, 2026, an opportunity was granted to the

corporate debtor i.e. the petitioner to enter appearance through their learned Advocate whereupon, on April 02, 2026 the corporate debtor entered appearance and made submissions in full. The order dated April 10, 2026 shows that the matter was again heard "*in extenso*" by the NCLT and it was then reserved for orders with a direction to file written notes of argument within three days.

8. This revisional application has been filed twenty days thereafter, i.e. on April 30, 2026 challenging various orders from July 03, 2025 till April 10, 2026. The petitioner now wants an order turning the clock back thereby setting aside all the aforesaid orders after having participated in the hearing all through and allowing the proceedings to be nearly concluded.

9. If the petitioner was aggrieved by any order of the NCLT, it was open to the petitioner to challenge the same prior to the petitioner participating in the hearing before the NCLT and concluding the arguments because evidently, the petitioner was heard on April 02, 2026 while the order imposing costs and extending time for filing reply was passed on December 03, 2025. No case of any technical glitch has even been made out, not to speak of satisfactory case, although there is a bald whisper to that effect.

10. Therefore, this Court finds no reason to intervene. Needless to mention that if any order

passed by the NCLT affects the petitioner adversely, it shall remain open to the petitioner to challenge the same before the appropriate forum and raise all available legal grounds in support of such a challenge in accordance with law.

11. C.O. 1487 of 2026 stands dismissed. There shall be no order as to costs.

12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)