

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 56681/2026

[Arising out of impugned final judgment and order dated 13-01-2020 in FMA No. 756/2006 10-04-2024 in RVW No. 107/2023 passed by the High Court at Calcutta]

ATASHI CHOWDHURY @MUKHERJEE @MUKHOPADHYAY Petitioner(s)

VERSUS

THE NEW INDIA ASSURANCE COMPANY LIMITED & ANR. Respondent(s)

[IA No. 311702/2026 - APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
IA No. 311697/2026 - APPLICATION FOR SUBSTITUTION
IA No. 311706/2026 - CONDONATION OF DELAY IN FILING
IA No. 311704/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 311705/2026 - EXEMPTION FROM FILING O.T.
IA No. 311694/2026 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)
IA No. 311700/2026 - SETTING ASIDE AN ABATEMENT]

Date : 16-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Mr. Sukesh Ghosh, Adv.
Mr. Ashis Kumar Chowdhary, Adv.
Mr. Rajesh Kumar Singh, Adv.
Mr. Susanta Datta, Adv.
Mr. Arvind Kumar, Adv.
Ms. Sadhana Sandhu- 1929, AOR

For Respondent(s):

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

1. Permission to file Special Leave Petition is granted.

2. The legal heir of Bela Mukherjee, who was petitioner before the High Court, is sought to be substituted in the present proceedings.

3. Considering the reasons mentioned in Interlocutory Application No.311702/2026, delay in filing application for setting aside abatement is condoned.

4. Abatement is set aside.

5. Substitution application is allowed and the legal heir of Bela Mukherjee, i.e. Petitioner No.1 herein, is permitted to be brought on record.

6. Accordingly, Interlocutory Application No(s). 311697/2026, 311700/2026 and 311702/2026 are disposed of.

7. Issue notice, both on the Special Leave Petition as well as on the application seeking condonation of delay, returnable on 12.01.2027.

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)