

ITEM NO.22

COURT NO.6

SECTION XVI

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

Petitions for Special Leave to Appeal (C) Nos.5067-5068/2026

[Arising out of impugned final judgment and order dated 06-01-2026 in CAN No. 11/2025 and CAN No. 12/2025 passed by the High Court at Calcutta]

KHAITAN CONSULTANTS LIMITED

Petitioner(s)

VERSUS

M/S. P.L. MULLICK AND COMPANY & ORS.

Respondent(s)

[ONLY IA NO. 165724/2026 IS LISTED UNDER THIS ITEM]

Date : 18-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Gopal Shankar Narayanan, Sr. Adv.
Mr. Aseem Chaturvedi, Adv.
Mr. VVVS Shastri, Adv.
Mr. Arpit Kumar Singh, Adv.
Mr. Arsh Alok, Adv.
Ms. Khushi Gupta, Adv.
Mr. Vishal Sinha, Adv.
Ms. Indumugi M, Adv.
For M/s. Khaitan & Co., AOR

For Respondent(s) : Mr. Pashupathi Nath Razdan, AOR

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

1. The question that fell for the consideration of the High Court was that in a Suit instituted against a partnership firm, if both the partners are dead and gone, then whether the Suit or Appeal, as the case may be, would stand abated, if the heirs and legal representatives of the deceased partners are not substituted within the prescribed period of limitation,

2. The High Court, in the facts of the matter, thought fit to reject the application, preferred by the petitioner praying to

declare that the Second Appeal, preferred by the so called partnership firm, had stood abated.

2. We are of the view that let the High Court hear out the main appeal itself on its own merits.

3. Let the appeal be taken up for hearing and be decided within a period of two months from today.

4. It shall be open for the parties to raise all contentions available to them in law.

5. With the aforesaid, these petitions stand disposed of.

6. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)