AD – 69
Ct No.16
06.10.2026
(SSS)

FAT 305 of 2026
with
CAN 1 of 2026
with
CAN 2 of 2026

Chandrachur Bose and Anr.
Vs.
Rajesh Gupta

Mr. Sounak Bhattacharyya,
Mr. Souvik Ganguly, Advs.
...for the appellants.

1. Affidavit of service filed today be kept on record.

2. The present appeal has been preferred against the dismissal of the plaintiffs/appellants' suit for cancellation of a power of attorney, for permanent injunction, as well as for other consequential reliefs.

3. However, we find that the appeal has been preferred after a delay of about 2179 days.

4. By way of explanation, the appellants have pleaded that the Covid-19 Pandemic intervened in the interregnum. The appellants also cite their advanced years and age-associated issues to explain the delay.

5. However, even from the copies of the medical prescriptions, discharge summaries and other

medical papers annexed to the application, we do not find any plausible explanation for the huge delay of more than 2000 days in preferring the appeal.

6. Insofar as the Pandemic period is concerned, the relaxations granted by the Hon'ble Supreme Court regarding limitation for the said period are only applicable to cases where the limitation period expired during the Pandemic period. In the present case, however, the impugned judgment and decree were passed in the year 2018, long before the Pandemic, and the limitation expired much prior to the commencement of the Pandemic period.

7. Thus, we do not find any plausible explanation for the excessively long delay in preferring the appeal.

8. Accordingly, CAN 1 of 2026 is dismissed without any order as to costs. Consequentially, FAT 305 of 2026 is dismissed as time-barred. CAN 2 of 2026 is, as a result, also disposed of.

9. There will be no order as to costs.

10. Urgent phototstat certified copies of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Sandip Kumar De, J.)