

23 29.11.21

Ct. No. 04

Akd

F.M.A. 1086 of 2013

Md. Hasibulla Ansari & Ors.

Vs.

Md. Harun & Ors.

Mr. Sounak Bhattacharya,

Mr. Sounak Mondal.

... for the appellants.

The Co-ordinate Bench recorded the submission of the appellants in its order dated 4th June, 2015 that the suit itself has been disposed of and the present appeal arising from an interlocutory order has become infructuous. However, on the prayer of the learned Advocate for the appellants to ascertain the real fact, the matter was adjourned.

Today the learned Advocate for the appellants submits that the suit itself had already been disposed of during the pendency of the instant appeal.

Since the instant appeal was against an interim order, by virtue of disposal of the suit itself such order must be the final order and, therefore, the instant appeal has become infructuous.

In view of the above, the appeal is dismissed as infructuous. The connected application, if there be any, is also dismissed.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

