

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

21.12.2021
Item No.5
Court No. 01
sg

**MAT 15 of 2021
With
CAN 1 of 2021**

Dinesh Kumar Agarwal & Anr.
Versus
The State of West Bengal & Ors.

Mr. Rahul Mishra
Mr. Binod Kr. Chakraborty
...for the appellant no.1

The learned Counsel for the appellant no.1 submits that he has been instructed by the appellant no.1 to withdraw this appeal. The learned Counsel has also produced the death certificate of the appellant no.2.

It appears from the death certificate that the appellant no.2 died on 1st April, 2021. No step has been taken for substitution.

Under such circumstances, the appeal of the appellant no.1 stands dismissed as withdrawn and as against the appellant no.2, it is abated.

The appeal accordingly, stands dismissed. However, there shall be no order as to costs.

Copy of the death certificate of the appellant no.2 is taken on record.

(Biswajit Basu, J.)

(Soumen Sen, J.)