

(02)
25.04.2022
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

**SA No. 297 of 2016
(IA No: CAN 2 of 2022)
(CAN 3524 of 2015)- (not appearing in list)**

**Sri Samit Kumar Karmakar
-versus-
Smt. Rubi Roy**

Mr. Sibasis Ghosh,
Mr. Ashis Kumar Dutta,
... for the appellant/petitioner.

Mr. Dyutiman Banerjee, ... for the respondent.

Re : IA No: CAN 2 of 2022.

This is an application for withdrawal of the present second appeal.

Mr. Sibasis Ghosh, learned counsel appearing on behalf of the appellant, submits that his client has already surrendered possession of the suit property in favour of the respondent, as such, he is not willing to proceed with the present second appeal.

IA No: CAN 2 of 2022 is thus allowed.

SA 297 of 2016 is therefore dismissed as withdrawn.

Re : CAN 3524 of 2015(for stay).

In view of dismissal of the appeal, the connected application for stay being CAN 3524 of 2015 which is not appearing in the list is dismissed as well by treating the same as on day's list.

There shall be no order as to costs.

Interim order, if there be any, stands vacated.

The department is directed to send down the connected lower Court records to the Court below immediately.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)