

09 **29.11.**
2022
Ct. No. 37

Ab

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
(Commercial Division).

FMAT 456 of 2022
IA No. CAN 1 of 2022

M/s. Xclusive Inn Private Limited and another
Vs.
Anjana Guha and others.

Mr. Prashant Kumar Singh.
... for the appellants.

Mr. Ashok Kumar Roy,
Mr. Ashim Roy,
Mr. Sutany Chakrabarti.
... for the respondent no. 1 to 3.

Mr. Prashant Kumar Singh, learned Advocate appearing for the appellants, submits on instruction that his clients do not intend to proceed with the instant appeal and prays for withdrawal thereof. It is further submitted that the instant appeal has been wrongly filed whereas the remedy lies in moving the appropriate forum.

In view of the above, let the appeal and the connected application be dismissed as withdrawn. However, withdrawal of the instant appeal shall not stand in the way of the appellants to ventilate the selfsame grievance before the appropriate forum.

The Assistant Court Officer is directed to return the certified copy of the impugned order to the Advocate-on-Record of the appellants upon replacement with photocopy thereof.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

