

4&5
Court
No. 11 10.3.2022
G.S.Da
s

FMAT 435 of 2020
with
CAN 1 of 2020
CAN 2 of 2020
CAN 3 of 2021
Rais Ahmed & ors
-Vs-
The State of West Bengal & ors.

With
FMAT 389 of 2020
With
CAN 1 of 2020
CAN 2 of 2020
Hooghly Motors Pvt. Ltd
-vs-
Kanishk Sinha

Mr. S. Basu
Mr. T. Roy
... appellants in FMAT 435 of 2020
Mr. Rudraman Bhattacharya
Mr. Surajit Dasgupta
Mr. Sopuvik Mazumdar
... for the appellant in FMAT 389 of 2020

Mr. Amal Kr. Sen
Mr. Lal Mohan Basu

... for the State in FMAT 435 of 2020
Mr. Barnamoy Basak
... for the appellant nos. 5 & 9 in
FMAT 435 of 2020

Mr. Kanishk Sinha
Ms. Lipika Das Sinha
... for the private respondents in
FMAT 435 of 2020 &
FMAT 389 of 2020

Party/Parties is/are represented in the order of their name/names as printed above in the cause title.

Mr. Basu, Learned Advocate, appearing for the appellants in FMAT 435 of 2020 submits that Seuli Chowdhury and Soumita Mukherjee i.e. the appellant nos. 5 & 9 respectively, do not want to proceed with the instant appeal as they have settled the matter with the respondents.

In view thereof, it is recorded that the appeal, being **FMAT 435 of 2020** stands **dismissed as not pressed** only insofar as the respondent nos. 5 & 9 are concerned and the same shall be proceeded with at the instance of the other appellants.

Mr. Basu prays for time to take instruction insofar as the willingness of the other appellants to proceed with the instant appeal.

Such prayer is allowed.

Mr. Bhattacharyya, Learned Counsel appearing for the appellant in FMAT 389 of 2020, submits that the appellant want to proceed with the instant appeal and he prays for time to assist this Court on the next occasion.

Mr. Sinha, Learned Counsel, appears for the private respondents in person in both the appeals.

Mr. Lal Mohan Basu, Learned Advocate, led by Mr. Sen, Learned Counsel, appears for the State in

FMAT 435 of 2020.

Since both of us are part of different Division Benches, it is not possible for us to assemble to take up this matter as 'Part-heard' matter and as such the 'Part-heard' status of both the appeals stand cancelled.

Mr. Sinha files Affidavit-in-opposition to the stay application in both the appeals and the same is taken on record.

It is recorded that the copy of such Opposition has been served upon the Learned Advocate appearing for the appellants.

Liberty to the appellants to file Reply to the Opposition within two weeks from date.

Parties are at liberty to take steps after the expiry of the period fixed for exchange of Affidavits **strictly** upon notice to each other.

All parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Hiranmay Bhattacharyya,J.) (Subrata Talukdar,J.)