

06.12.2023
131
Ct. no. 652
sb

**SA 640 of 2008
With
CAN 11 of 2023**

**Sunil Pal Chowdhury, since deceased,
his legal heirs Smt. Chhabi Paul
Chowdhury & Ors.
Vs.
Debojyoti Mukherjee & Ors.**

Mr. Sourav Sen
Mr. Siddhartha Ghosh ...for the Appellants

Mr. Arindam Guha
Ms. Arpita Dey for the respondent nos.
1,1A, 1B, & 1C

Re: CAN 11 of 2023

This is an application wherein the appellants have prayed for return of the documents marked as Exhibit 1 to 28 in SA 640 of 2008 which was heard analogously with SA 54 of 2016. It is submitted that by an order dated 3rd February, 2023, this court was pleased to dispose of both the appeals in terms of the compromise. The lower court record is still lying before this court and as such he wants to get back the documents marked as Exhibit 1 to 28 from the lower court record.

Learned counsel for the respondents submits that he has no objection if such prayer is allowed by the court.

In such view of the matter, the documents marked as Exhibit 1 to 28 lying in the lower court record may be

returned to the appellants/plaintiffs on condition that the appellants/plaintiffs will file certified copy of those exhibited documents and also on proper receipt.

The department is directed to take necessary steps in this regard.

CAN 11 of 2023 is accordingly, disposed of.

(Ajoy Kumar Mukherjee, J.)