

14-07-2023
ct no. 13
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F.M.A. No. 776 of 2008
Narayan Das Agarwala
-Versus-

Sterling Holiday Resorts (India) Limited & Ors.

Mr. D.N. Sharma,
Mr. Nilay Sengupta

...for the appellant

Mr. Nilanjan Bandyopadhyay,
Mr. Suman Banerjee

...for the respondent no. 2

1. It is submitted that an interim order was passed on September 9, 2008 in this appeal.
2. It is submitted by Mr. Nilay Sengupta, learned counsel appearing for the appellant and Mr. Nilanjan Bandyopadhyay, learned counsel appearing for the respondent no. 2 that the suit being T.S. 153 of 2008, is in the final stages of disposal before the learned Civil Judge (Senior Division), 1st Court at Barasat.
3. The appeal is directed against the refusal of an order of injunction. Since the suit itself is fixed for final argument in the Court below on July 28, 2023, the interim order already passed in the appeal on September 9, 2008, shall continue until disposal of the suit and shall abide by its result.
4. With the aforesaid observations, F.M.A. 776 of 2008 shall stand disposed of.

5. There shall be no order as to costs.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Supratim Bhattacharya, J.)