

04.01.2023

Court : 04
Item : CD-02
Matter : **FMAT**
Status : **Dal**
Transcriber: nandy

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

**FMAT 235 of 2022
with
CAN 1 of 2022**

Swastic Projects Private Limited
Vs.
Samirendra Nath Dutta & Ors.

**Mr. A. Agarwalla, Advocate
Mr. B.N. Joshi, Advocate
Ms. Priyanka Garain, Advocate**

.....for the Appellant

Despite service there is no representation on behalf of the respondents.

It is submitted by the learned Advocate for the appellant that the suit filed by the respondents before the Commercial Court has been withdrawn on 16.12.2022 and, therefore, the instant appeal has become infructuous.

Let the downloaded copy of the order dated 16.12.2022 filed in Court today be kept with the record.

In view of the fact that the suit is withdrawn, the instant appeal being **FMAT 235 of 2022** has become infructuous and accordingly **dismissed**.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

