

5-6 **12.12.**
2023

Ct. No. 04

ab

SAT 134 of 2023
With
SAT 135 of 2023
IA No. CAN 1 of 2023
IA No. CAN 2 of 2023
IA No. CAN 3 of 2023

Sri Goutam Das
Vs.
Dr. Soumyadeep Basu and another.

Mr. Asit Kumar Bhattacharya.
... for the appellant.

Mr. Asit Kumar Bhattacharya, learned Advocate appearing for the appellant submits on instruction received from his client that his client is not interested in proceeding with the instant appeals as he has already vacated the suit premises and delivered the vacant possession unto and in favour of the respondents.

The instant appeals arise from a judgment and decree passed by the Trial Court directing recovery of possession and/or eviction of the appellant and the moment the appellant has vacated and handed over the possession, there is no point in keeping the appeals pending.

Since the appellant has decided not to proceed with the instant appeals, both the appeals and the connected applications are dismissed for 'non-prosecution'.

(Harish Tandon, J.)

(Madhuresh Prasad, J.)

