

23-11-2023
Item no.3 CD
Subrata
Bhattacharyya
AR(C)

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

FMAT No.402 of 2023
Piramal Capital & Housing Finance Limited
(formerly before take over known as Dewan Housing Finance
Corporation Limited [DHFL])
-VS-
Mr. Ashok Kumar Lakhotia & Ors.
with
CAN No.1 of 2023

Mr. Joy Saha, sr. adv.
Mr. Sayak Ranjan Ganguly, adv.
Mr. Vikram Kamatu, adv.
Ms. Srijani Ghosh, adv. ...for the appellant

Mr. Mainak Bose, adv.
Mr. S.S. Bhutoria, adv.
Ms. Jyoti Sureka, adv.
Mr. A.k. Sureka, adv. ...for the respondents

Realising that the instant appeal is not maintainable before this court, Mr Saha, learned senior advocate appearing for the appellant-petitioner, seeks to withdraw this appeal and to take steps in an appropriate jurisdiction.

We grant leave to the appellant to withdraw this appeal and to pursue any other remedy available on the self-same grounds or cause of action.

In the records of this court, this appeal would be treated to be dismissed as withdrawn.

Mr Saha submits that it would take his client a week or so to file an appropriate proceeding. We only observe that during this period the respondents will not take any unnecessary advantage of vacation of the interim order.

The appellant's advocate-on-record is permitted to take back the certified copy of the impugned judgement and order upon furnishing a photocopy of the same which is to be retained in the records of the department.

The connected application (CAN No.1 of 2023) is disposed of accordingly.

[I.P. Mukerji, J]

[Biswaroop Chowdhury, J]