

OD 7

IA GA 1/2022
CS 38/2017

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

KANAK PROJECTS LIMITED
VERSUS
RECKITT & BENKISER INDIA LIMITED

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 27th February, 2023.

APPEARANCE:
Mr. Sudipto Sarkar, Sr. Adv.
Mr. Moloy Kumar Ghosh, Sr. Adv.
Mr. Sudhakar Prasad, Adv.
...for the petitioner.

Mr. Sarathi Dasgupta, Adv.
Mr. Pratik Ghose, Adv.
Mr. Avishek Roy Chowdhury, Adv.
...for the plaintiff.

The Court:- Counsel for the respective parties are present. The plaintiff has handed over communication dated 23rd February, 2023 issued by the Director of the plaintiff to the Advocate-on-Record of the plaintiff intimating to withdraw CS No. 38/2017. Counsel for the plaintiff, in view of the said communication, prayed for withdrawal of the suit.

Counsel for the defendant submits that the suit filed by the plaintiff is in violation of the order passed by the Hon'ble Division Bench dated 19th August, 2016 and the suit filed by the plaintiff is frivolous.

Without going to the controversy between the parties, this Court finds that the plaintiff intends to withdraw the suit and, thus, in view of the submission made by the Counsel for the plaintiff and in terms of the communication dated 23.2.2023, CS No. 38/2017 is dismissed as withdrawn.

The communication dated 23rd February, 2023 be kept with the record as the suit is dismissed as withdrawn, accordingly, all connected applications are also dismissed.

(KRISHNA RAO, J.)