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IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APO/30/2023
IA NO.GA/1/2023

SURESH KUMAR BANTHIA
-Versus-
UNION OF INDIA AND ORS.

Appearance:
Mr. J.P. Khaitan, Sr.Adv.
Mr.Saurabh Bagaria, Adv.
Mr.Indranil Banerjee, Adv.
Mr.Subrata Mukherjee, Adv.
...for the appellant.

Mr. Asoke Kumar Chakraborty, ASG.
Mr. Aryak Dutta, Adv.
Mr. Amit Sharma, Adv.
. . .for the respondent.

BEFORE:

The Hon'ble T.S. SIVAGNANAM, ACTING CHIEF JUSTICE

-And-

The Hon'ble JUSTICE HIRANMAY BHATTACHARYYA

Date : 26th April, 2023.

The Court : We have heard Mr. J.P. Khaitan, learned Senior Counsel assisted by Mr. Saurabh Bagaria, learned Advocate appearing for the appellant/petitioner and Mr.Asoke Kumar Chakraborty, learned Additional Solicitor General assisted by Mr.

Aryak Dutta, learned standing counsel appearing for the respondent.

After hearing some arguments, the learned Senior Counsel appearing for the appellant sought not to press prayer (e) in the writ petition at the present which is to the following effect :

"(e) Injunction restraining the respondents, their servants and agents from giving any effect to and/or further effect to and/or further effect to and/or acting on the basis of and/or in furtherance of the said purported Show Cause Notices dated February 07, 2018 and October 06, 2021 and/or in any purported proceedings thereunder and/or relating thereto and/or in pursuance thereof, including the complaint Case bearing No.CS/53368/2018 and the complaint Case bearing No.CS/32068 of 2022 (both filed in the Court of the Learned Chief Metropolitan Magistrate at Calcutta), pending disposal of this application".

The prayer made by the learned Senior Counsel for the appellant/petitioner is granted and prayer (e), quoted above, is dismissed as not pressed for the present. The appellant/petitioner is at liberty to renew the prayer at an appropriate stage, if so advised, which will be considered in accordance with law.

With the above observations, the appeal stands disposed of.

The respondents are directed to file their affidavit-in-opposition within four weeks from date; reply, if any, shall be

filed within two weeks thereafter. The writ petition shall be listed before the appropriate Bench during the third week of June, 2023.

Supplementary affidavit filed today with the leave of the Court is taken on record.

The connected application being GA/1/2023 stands closed.

(T.S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)