

OD-9

ORDER SHEET

AP/302/2023

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

M/S. RAJ GROUP
Versus
INDIAN RAILWAY CATERING AND TOURISM CORPORATION LIMITED (IRCTC)

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 21st September, 2023.

Appearance:

*Mr. Sandip Kumar De, Adv.
..for the petitioner*

*Mr. Akash Dutta, Adv.
..for the respondent*

The Court: The petitioner had obtained an interim order dated 17th May, 2023 of a Co-ordinate Bench by which the respondent was restrained from taking any steps in terms of a communication dated 10th May, 2023 that is for evicting the petitioner from the premises in dispute till 9th June, 2023. The operation of the interim order was however made subject to the petitioner making payment of Rs.85,02,540/- to the respondent within 30th May, 2023. The interim order was to operate till 9th June, 2023 or until further orders, whichever is earlier and the petitioner was given leave to have the interim order extended from the appropriate Bench.

The matter appeared around six times thereafter before this Court when learned counsel appearing for the petitioner sought for extension of time to make the payment to the respondent as directed by the order dated 17th May, 2023.

It is submitted by learned counsel appearing for the petitioner that he did not receive any instructions with regard to compliance of the order passed from his client.

Since the petitioner has not made the payment as directed, the question of the interim order continuing or otherwise becomes irrelevant since the interim order was to come into effect only upon payment by the petitioner to the respondent.

Since counsel does not have any further instructions on this aspect, AP/302/2023 is accordingly disposed of in terms of the above.

Any other remaining interim orders shall stand vacated.

(MOUSHUMI BHATTACHARYA, J.)

bp.