

22.11.2024
Ct. No. 22
Sl. No.193
KB

SA 166 of 2018
with
IA No. CAN 1 of 2018
(Old No. CAN 2340 of 2018)
with CAN 2 of 2024
with CAN 3 of 2024
with CAN 4 of 2024
with CAN 5 of 2024
with CAN 6 of 2024
with CAN 7 of 2024

Jyotsna Rani Ghorai & Ors.
-versus-
Tripti Ghosh & Ors.

Mr. Sukumar Ghosh
Ms. Moumita Ghosh
... For the appellants.

In Re: IA No. CAN 1 of 2018
(Old No. CAN 2340 of 2018)
with CAN 2 of 2024
with CAN 3 of 2024
with CAN 4 of 2024
with CAN 5 of 2024
with CAN 6 of 2024
with CAN 7 of 2024

1. Affidavit of service is filed and taken on record.
2. None appears on behalf of the respondents.
3. However, learned counsel appearing on behalf of the appellants is present and has filed written instruction on behalf of all the six appellants.
4. It is submitted on behalf of the appellants that all the appellants are inclined to

withdraw the appeal without seeking any further liberty to file appeal afresh.

5. It is submitted that separate applications have already been filed with a prayer for withdrawing the appeal along with the liberty to withdraw the amount to the tune of Rs.3,50,000/- by way of security in terms of provision of Order 41 Rule 5 of the Code of Civil Procedure, as directed by the Hon'ble Division Bench of this Court at the time of admission of appeal on 18th September, 2018.
6. Learned counsel appearing on behalf of the appellants has also submitted that the subject property involved in the execution has already been purchased by the appellants/petitioners.
7. Having regard to the aforesaid facts and circumstances, the appeal being SA 166 of 2018 stands dismissed as withdrawn.
8. Liberty is given to the appellants to withdraw the amount deposited as security amount under Order 41 Rule 5 of the Code of Civil Procedure.
9. All the applications being IA No. CAN 1 of 2018(Old No.CAN 2340 of 2018), CAN 2 of 2024, CAN 3 of 2024, CAN 4 of 2024, CAN

5 of 2024, CAN 6 of 2024 and CAN 7 of 2024 also stand disposed of.

10. Written instruction filed by the learned counsel appearing on behalf of the appellants be kept with the record.

11. Department is directed to transmit back the Trial Court record forthwith.

12. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

13. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Bibhas Ranjan De, J.)