

07.08.2024
Item Nos.28 to 32, DL
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 2410 of 2024

**M/s. Veenapani Vanijya Private Limited
-Vs-**

Sk. Md. Shamim & Anr.

With

C.O. 2412 of 2024

**M/s. Veenapani Vanijya Private Limited
-Vs-**

Shahnawaz Seraj & Ors.

with

C.O. 2414 of 2024

**M/s. Veenapani Vanijya Private Limited
-Vs-**

S.M. Yasin & Anr.

with

C.O. 2415 of 2024

**M/s. Veenapani Vanijya Private Limited
-Vs-**

Md. Raju & Anr.

with

C.O. 2416 of 2024

**M/s. Veenapani Vanijya Private Limited
-Vs-**

Rizwanul Haque Nafay & Anr.

Mr. Jaydip Kar, Senior Advocate,
Mr. Rajendra Prasad Chowdhury,
Mr. Avirup Chatterjee,
Mr. Rishav Das.

.....for the petitioner
(in 5 revisional applications).

Mr. Kumar Jyoti Tewari,
Mr. Manas Kumar Das,
Mr. Amrit Sinha,
Mr. Aniruddha Tewari.

.....for the opposite party no.1
(in 5 revisional applications).

These five revisional applications are taken up for
analogous hearing for consideration of a common issue.

The appellants of the connected appeal though are
not parties to the suits out of which the said appeal arise but

have obtained leave to challenge the decrees passed in those suits.

The said leaves are under challenge in these revisional applications.

Mr. Tewari, learned Advocate for the said appellants submits that the appeal Court below has granted the impugned leave as independent right, title and interest of his clients are being adversely affected by the decrees passed in those suits, however, to avoid unnecessary controversy his clients would prefer to approach the Court where those decrees have been put into execution under Order XXI Rules 97 to 103 for determination of their said independent right, title and interest over the suit properties instead of pursuing the connected appeals.

In view of said stand of the appellants Title Appeal No. 39 of 2023, Title Appeal No.40 of 2023, Title Appeal No.41 2023, Title Appeal No.47 of 2023 and Title Appeal No.46 of 2023 pending before the 10th Court of the learned Additional District Judge at Alipore are dismissed as withdrawn.

The revisional applications being C.O. 2410 of 2024, C.O. 2412 of 2024, C.O.2414 of 2024, C.O.2415 of 2024 and C.O.2416 of 2024 are thus disposed of without any order as to costs.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)