

ORDER SHEET

APDT/1/2024
WITH CS/105/2018
IA NO: GA-COM/1/2024, GA-COM/2/2024

ISLAMI BANK BANGLADESH LTD
VS
SUSHIL KUMAR MORE AND ORS

Before:
The Hon'ble Justice I. P. MUKERJI
And
The Hon'ble Justice BISWAROOP CHOWDHURY
Date: 3rd July, 2024
[Commercial Division]

Appearance:
Mr. Soumabho Ghose, Adv.
Ms. Dipika Banu, Adv.
Ms. B. Roy, Adv.
...for appellant.

Mr. Jayanta Kumar Mitra, Sr. Adv.
Mr. K. Thaker, Adv.
Ms. Nilanjana Adhya, Adv.
Mr. A. K. Dey, Adv.
...for respondent.

The Court: Both learned counsel, Mr. Soumabho Ghose and Mr. Jayanta Kumar Mitra, learned senior advocate made extensive arguments. At the close of such argument, Mr. Ghose seeks leave of this court to withdraw this appeal and to file an application under Order 9 Rule 13 of the Civil Procedure Code before the learned trial Judge.

We allow such prayer. In the records of this court the appeal and the application should be treated as dismissed as withdrawn with liberty to file an application under Order 9 Rule 13 of the Civil Procedure Code on the self-same grounds before the learned trial Judge.

All points are kept open.

(I. P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)