

APOT/14/2024
with
CS/221/2013
IA No.GA/1/2024

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

MARCO POLO RESTAURANT PVT. LTD.

-Versus-

AMIT TIWARI AND ORS.

BEFORE :
THE HON'BLE JUSTICE HARISH TANDON
And
THE HON'BLE JUSTICE PRASENJIT BISWAS
Date : 14th August, 2024.

Appearance :

Mr. Utpal Bose, Sr. Adv.
Mr. Aniruddha Chatterjee, Adv.
Mr. Siddhartha Banerjee, Adv.
Ms. Suchismita Ghosh Chatterjee, Adv.
Mr. Prasanta Naskar, Adv.
Mr. Abir Lal Chakraborty, Adv.
...for the appellant.

Mr. Suman Dutt, Adv.
Mr. Satadeep Bhattacharyya, Adv.
Mr. Shreyashi Das, Adv.
Mr. Himangsu Bhawsinghha, Adv.
Mr. Rohan Kumar Thakur, Adv.
..for the respondents.

The Court : This appeal arises from an order by which the interlocutory Court directed the appellant to pay the arrear rent/occupational charges. By an order dated 15th April, 2024 this Court was apprised of the fact that the appellant has agreed to deposit a sum of Rs.25 lakhs within a short period of time and the rest amount may be deposited in suitable instalments. The Court directed the

appellant to deposit the said sum of Rs.25 lakhs on or before 17th April, 2024 with the Registrar, Original Side and the remaining balance to be deposited in the similar fashion within two months from the said date.

Mr. Bose, learned senior Advocate appearing for the appellant submits that in compliance to the order dated 15th April, 2024, the deposits have been made and, in fact, the appellant is continuing to deposit the current rent in the manner as indicated in the said order. He, however, submits that initially the appellant raised an objection against the order directing the deposit of arrear but in view of the subsequent event of such amount having been deposited and, therefore, the instant appeal has virtually become infructuous.

In such view of the matter, the appeal (APOT/14/2024) is dismissed as infructuous. Consequently, the connected application also stands dismissed.

(HARISH TANDON, J.)

(PRASENJIT BISWAS, J.)