

OCD-2

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
[Commercial Division]

CS-COM/267/2024
[OLD NO: CS/92/2021]
IA NO: GA/1/2021, GA/2/2021

SRI PARVATHY SALTERN PRIVATE LIMITED AND ANR
-VS-
BISWANATH SAHA AND ANR

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : December 20, 2024.

Appearance:
Mr. Sohom Saha, Adv.
...for the applicant

Mr. Navneet Misra, Adv.
...for the defendants

The Court: Mr. Sohom Saha, learned counsel, is appearing for the applicant.

Mr. Navneet Misra, learned counsel, is appearing for the defendants.

Counsel for the plaintiffs has handed over a communication made by the plaintiffs to the learned Advocate on Record of the plaintiff informing that the plaintiffs do not intend to proceed with the matter further and on the basis of the said communication, learned counsel for the plaintiffs prays for withdrawal of the suit.

Counsel for the plaintiffs prays for refund of the Court fee.

Counsel for the defendant raised objection and submitted that he has no objection if the suit is withdrawn but refund of the Court fee submitted when the matter was filed in the 2021 and subsequently several orders have been passed including discovery and inspection.

Having heard the learned Counsel for the respective parties perused the communication dated 19th December, 2024 and submission made by the respective parties, CS-COM/267/2024 [OLD NO. CS/92/2021] is dismissed as withdrawn. Consequently, all applications are also dismissed.

Communication filed by the plaintiff be kept with record. As this Court finds that the suit is filed in the year 2021 several orders have been passed and as such this is not the proper case for refund of the Court fee.

(KRISHNA RAO, J.)

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