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IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APOT/240/2024
WITH
CS/306/2022
IA NO: GA/1/2024

THE PUNJAB PRODUCE AND TRADING CO PVT LTD AND ORS
VS
HARSH VARDHAN LODHA AND ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

The Hon'ble JUSTICE UDAY KUMAR

Date : 13th November, 2024

Appearance:

Mr. S.N. Mookherjee, Sr. Adv.

Mr.D. N. Sharma, Adv.

Mr. Anirban Ray, Adv.

Mr. Rajarshi Dutta, Adv.

Mr. Sankarsan Sarkar, Adv.

Mr. Debdut Mukherjee, Adv.

Ms. Pritha Basu, Adv.

... for the appellant.

Mr. Abhrajit Mitra, Sr. Adv.

Mr. D. Mandal, Adv.

Mr. Soumya Roy Chowdhury, Adv.

Mr. Sarvapriya Mukherjee, Adv.

Mr. S. Kr. Trivedi, Adv.

Mr. S. Bhattacharyya, Adv.

Mr. Iram Hasan, Adv.

Mr. S. Sarawagi, Adv.

Mr. Rachit Lakhmani, Adv.

...for respondent no. 1.

Mr. Ranjan Bachawat, Sr. Adv.

Mr. Sayan Roy Chowdhury, Adv.

Mr. S. Mukherjee, Adv.

Mr. Sanshik Chowdhury, Adv.

... for respondent no.2.

Mr. Anubhav Sinha, Adv.

Mr. Subhasis Dey, Adv.

Ms. Divya Sharma, Adv.

*Ms. S. Shaw, Adv.
... for respondent no.3.*

*Mr. Jishnu Chowdhury, Adv.
Mr. N. Misra, Adv.
...for Eastern India Education Institution.*

The Court:- When the matter is taken up for hearing, it transpires that the main injunction application and connected applications, against the refusal of an ad interim order in connection with which the present appeal has been preferred, is fixed today for hearing before the learned Single Judge who passed the impugned order.

Hence, we are of the opinion that if at this juncture we enter into the merits of the present appeal, the same might have a bearing on the adjudication before the learned Trial Judge, more so considering that the present appeal has been preferred only against an ad interim order.

In such view of the matter, we are inclined to dispose of the appeal and keep it open for the parties to urge all points taken in the present appeal before the learned Single Judge in connection with the main injunction application and connected applications.

Accordingly, APOT 240 of 2024 and GA 1 of 2024 are disposed of without entering into the merits of the matter. It is made clear that all issues urged in the present appeal shall be open to be argued by all the parties before the learned Single Judge in connection with the main injunction application.

No order as to costs.

Since no affidavits have been invited, nor has the appeal been formally admitted, it is deemed that none of the allegations made in the memorandum of the appeal and/or the connected applications are admitted by any of the respondents.

(SABYASACHI BHATTACHARYYA, J.)

(UDAY KUMAR, J.)