

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/315/2024
IA NO: GA/1/2024

M/S PNP ENGINEERING WORKS PVT LTD
VS
CB AND I INDIA PRIVATE LIMITED AND ANR

BEFORE :
THE HON'BLE THE CHIEF JUSTICE T.S SIVAGNANAM
-A N D-
HON'BLE JUSTICE HIRANMAY BHATTACHARYYA
DATE : September 20, 2024.

Appearance :
Mrs. Manju Bhuteria, Adv.
Ms. Arundhati Roy Burman, Adv.
Mr. Abhishek Jain, Adv.
...for appellant.
Ms. Noelle Banerjee, Adv.
Ms. Nilanjana Adhya, Adv. ...for State.
Mr. Prasenjit Keswani, Sr. Adv.
Mr. Satyaki Mukherjee, Adv.
Mr. Ramendu Agarwal, Adv.
Mr. Sagnik Bose, Adv. ...for respondent no.1.

The Court :- This intra-court appeal filed against the order dated 1st August, 2024 which is clearly in the nature of an interim order. We find that the appellant cannot be stated to be aggrieved by the said order for more than one reason, firstly, the learned writ court has clearly recorded that the issue as to whether the writ petition was maintainable have to be decided at the first instance for which the learned writ court opined that affidavits are to be exchanged. The second being is that the matter has been directed to appear on 26.9.2024. Therefore, at this stage, we are not inclined to entertain this appeal

nor interdict to observations/directions issued by the learned writ court. The appellant is directed to file its affidavit in terms of the directions issued by the learned writ court and to be ready for hearing of the matter on 26th September, 2024.

With the above observation, the appeal stands dismissed.

Affidavit of service filed in court today be taken on record.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)

pkd/GH