

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

IA NO: GA/1/2023
APOT/257/2023
WITH
AP/421/2023

SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA
VS
MOHIT MALL AND ANR.

(Commercial Division)

BEFORE

The Hon'ble Justice I.P. MUKERJI

-And-

The Hon'ble Justice BISWAROOP CHOWDHURY

Date: 29th January, 2024

Ms. Usha Doshi with
Ms. Priyanka Gope, Adv.
...for the appellant.

Mr. Swatarup Banerjee with
Mr. Avishek Guha,
Sk. Sariful Haque &
Ms. Akansha Chopra, Adv.
...for respondent no.1.

Mr. Soumavo Ghose with
Mr. Vikash Singh &
Ms. Sujata Mistri, Adv.
...for respondent no.2.

The cause of grievance of the appellant is no longer there. The order of injunction restraining the bank from invoking the personal guarantee has expired by efflux of time.

Meanwhile, Mr. Soumavo Ghose's client the respondent no.2 has purchased the share-holding of the respondent no.1 and wants to deal with them to which both the appellant and the respondent no.1 do not have any objection.

Respondent no.2 will carry out the terms and conditions of the agreement between the respondent no.1 and the respondent no.2 with respect to the claim of the appellant.

So this appeal and the connected application (GA/1/2023) are disposed of with the above observation.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)