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ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

CS/268/2007
IA NO. GA/9/2016
(Old. No. GA/1286/2016)

KANAK PROJECTS LIMITED
Vs.
ANDREW YULE AND COMPANY LIMITED

AND

CS/100/2009

KANAK PROJECTS LIMITED
Vs.
ANDREW YULE AND COMPANY LIMITED

BEFORE:
The Hon'ble JUSTICE BIVAS PATTANAYAK
Date: 7thOctober, 2024.

Appearance:
Mr. Pratik Ghosh, Adv.
...for the plaintiff

The Court: Affidavit of service filed on behalf of the plaintiff is taken on record.

Mr. Pratik Ghosh, learned Advocate appearing for the plaintiff submits that the plaintiff does not intend to proceed and pursue this suit any further and seeks to withdraw the suit. He also indicates that on the previous occasion, such written instruction received from the plaintiff was also furnished in Court. He informs that pursuant to order of this Court, intimation

has been sent to the defendant as well as its learned advocate-on-record. He seeks for necessary orders for withdrawal of the suit being CS/268/2007.

By order dated 3rd October, 2024, learned Advocate for the plaintiff was directed to inform the learned Advocate on Record for the defendant. Pursuant to such order, e-mail has been sent both to the defendant-company as well as their learned Advocates. The e-mail sent to the defendant company is served. However, the e-mail sent to the learned Advocate for the defendant could not be served due to certain errors. Be that as it may, it appears that the defendant has been intimated of the date fixed this day.

Despite intimation none appears on behalf of the defendant.

In view of the submissions made and considering the written instructions furnished on behalf of the plaintiff, the suit being CS/268/2007 along with the pending application, if any, stands dismissed as withdrawn.

Interim order, if any, stands vacated.

List CS/100/2009 on 18th November, 2024 as “To be Mentioned”.

(BIVAS PATTANAYAK, J.)