

18.06.2025

Court No.25

Sl. No.5
Mujahid

CO 2044 of 2023

**The Calcutta Stock Exchange Limited
Vs.
Chittaranjan Prosad & Ors.**

Mr. Probal Mukherjee, Sr. Adv.,
Mr. Uttam Kr. Mandal

...for the petitioner

1. Affidavit of service has been filed. Let it be taken on record.

2. Learned counsel for the petitioner submits that the gravamen of present case is that upon withdrawal of Title Suit No.298/11, the petitioner had moved an application for return of the original document. However, the same was declined by the learned trial court vide impugned order on the ground that Misc. Case No.43/14 is still pending. Learned for the petitioner submits that however now the petitioner has withdrawn Misc. Case No.43/14. Learned counsel for the petitioner submits that beside Misc. Case 43/14 there was another Misc. Case 44/14 also which was also pending and now both the Misc. Cases have been withdrawn by the petitioner as recorded therein vide proceeding dated 18th January, 2025. Learned counsel has placed on record a photo copy of the orders regarding

withdrawal of Misc. Case 43/14 and Misc. Case 44/14. Since the basis on which the return of original documents were declined no longer exists, let the petitioner move an appropriate application before the learned trial court for return of the original documents. Learned trial court is directed to dispose of the application expeditiously after giving notice to the other opposite parties.

3. The petition stands disposed of with the liberty to move an appropriate application before the learned trial court.

4. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

5. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Dinesh Kumar Sharma, J.)