

10.02.2025  
Court No.13  
Item Nos.3 to 5  
AP

**FMAT 242 of 2024**  
**With**  
**CAN 1 of 2024**  
**With**  
**CAN 2 of 2024**  
**Mr. Chanchal Ghosh and Anr.**  
**Vs.**  
**Universal Book Centre, Publisher & Book Seller**

**With**  
**FMAT 425 of 2024**  
**With**  
**CAN 1 of 2024**  
**With**  
**CAN 2 of 2025**  
**Mr. Chanchal Ghosh and Anr.**  
**Vs.**  
**Universal Book Centre, Publisher & Book Seller**

**With**  
**FMAT 480 of 2024**  
**With**  
**CAN 1 of 2025**  
**Mr. Chanchal Ghosh and Anr.**  
**Vs.**  
**Universal Book Centre, Publisher & Book Seller**

Mr. Sukanta Chakrabarty  
Mr. Anindya Halder

.... For the Appellants.

Mr. Rahul Karmakar  
Mr. Fida Rasul

.... For the Respondent.

**Re.: CAN 1 of 2024**  
**In**  
**FMAT 242 of 2024**

1. The application being CAN 1 of 2024 has been filed seeking condonation of delay.
2. For the reasons stated in the application, the same is allowed. Delay in filing of the appeal is condoned.

3. Accordingly, CAN 1 of 2024 is allowed.

**Re.: CAN 2 of 2025**  
**In**  
**FMAT 425 of 2024**

4. The application being CAN 2 of 2025 has been filed seeking condonation of delay.

5. For the reasons stated in the application, the same is allowed. Delay in filing of the appeal is condoned.

6. Accordingly, CAN 2 of 2025 is allowed.

**Re.: FMAT 242 of 2024**  
**With**  
**FMAT 425 of 2024**  
**With**  
**FMAT 480 of 2024**

7. The present appeals are directed against an order dated 16<sup>th</sup> May, 2024 under Order 39 Rule 1 and 2, restraining the appellants from preventing the respondent/plaintiff from publication of a book namely “Nimeshe Anka”. The interim order was extended from time to time. Hence the second and third appeals have been filed against the orders granting extension of interim order.

8. It appears from the plaint in the suit that the agreement between the respondent and the appellant expired on 31<sup>st</sup> May, 2024. The question of any right, title and interest of the respondent in respect of the

aforesaid book or to exploit the same by publication thereof has also come to an end.

9. The said suit itself, therefore, becomes infructuous.

10. In view of the above, the impugned order dated 16<sup>th</sup> May, 2024 has also become infructuous. Consequently, all further extensions are also consequently infructuous.

11. In view of the above, Title Suit No.844 of 2024 now pending before the 12<sup>th</sup> Bench, City Civil Court at Calcutta is dismissed. Consequently, all pending applications in the suit are also dismissed.

12. The appeals are allowed and disposed of. The impugned order in the appeals stand set aside as infructuous.

13. Consequently, all connected pending applications, if any, are also disposed of.

14. There shall be no order as to costs.

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

**(Rajasekhar Mantha, J.)**

**(Ajay Kumar Gupta, J.)**