

M/L.16.
February 10, 2025.
MNS.

FAT No. 380 of 2023

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CAN 1 of 2024

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CAN 2 of 2024

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CAN 3 of 2024

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CAN 4 of 2024

Transways (Agents) Limited
Vs.
Indian Church Trustees and another

Mr. Rudrajit Sarkar,
Mr. Pradeep Sancheti,
Ms. Vanshika Newar

... for the appellant.

Mr. Siddhartha Banerjee,
Ms. Soni Ojha

...for the respondent no. 1.

Re : CAN 2 of 2024 (leave to prefer appeal)
&
CAN 1 of 2024 (condonation of delay)

1. CAN 2 of 2024 is an application for leave to prefer the appeal by the appellant, since the appellant was not a party to the suit in the court below.
2. CAN 1 of 2024 is an application for condonation of delay in preferring the appeal.
3. Learned counsel for the appellant, at the outset, submits on instruction that the appellant does not want to proceed with the appeal and the connected applications.
4. Accordingly, CAN 1 of 2024 and CAN 2 of 2024 are dismissed as withdrawn.

5. Consequentially, FAT No. 380 of 2023 along with CAN 3 of 2024 and CAN 4 of 2024 also stand dismissed without any order as to costs.

6. It is, however, made clear that the above withdrawal shall not prejudice the rights and contentions of the parties before the Executing Court in the pending application under Order XXI Rules 97 to 101 of the Code of Civil Procedure.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)