

D/L.2 & 3.
March 25, 2025.
MNS.

FMAT No. 317 of 2023
+
CAN 1 of 2022
+
CAN 2 of 2022
Latip Gain
Vs.
Tata Motors Finance Ltd.
with
FMA No. 305 of 2024
+
CAN 1 of 2023
Tata Motors Finance Limited
Vs.
Latip Gain

Mr. Sayak Ranjan Ganguly,
Ms. Srijani Ghosh,
Ms. Indrani Majumdar

... for the appellant
in FMA No. 305 of 2024
&
for the respondent
in FMAT No. 317 of 2023.

1. Learned counsel appearing for the appellant in FMA No. 305 of 2024 and respondent in FMAT No. 317 of 2023 submits that both the appeals arise in connection with interlocutory orders passed in the the same Title Suit, which has since been dismissed for default, thereby rendering the present appeals infructuous.
2. Server copy of the order dated February 18, 2025 passed by the learned Trial Judge dismissing the suit for default is also handed over in Court by learned counsel and kept on record.

3. In such view of the matter, FMAT No. 317 of 2023, along with the connected applications, bearing CAN 1 of 2022 and CAN 2 of 2022, as well as FMA No. 305 of 2024 along with its connected application, bearing CAN 1 of 2023, are dismissed as infructuous without any order as to costs.
4. However, in the event the suit is restored subsequently along with the impugned orders, which are assailed in the present appeals, liberty is granted to the parties in each of the matters to prefer fresh appeals on the self-same cause of action, if deemed necessary.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)