

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APO/4/2025
IA NO: GA/1/2025
INDUS INSTITUTE OF INFORMATION MANAGEMENT AND ANR.
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE :
THE HON'BLE JUSTICE DEBANGSU BASAK
-A N D-
THE HON'BLE JUSTICE MD. SHABBAR RASHIDI
DATED : 26TH AUGUST, 2025.

Appearance :-
Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.
Mr. Biswaroop Bhattacharyya, Adv.
Mr. Sumitava Chakraborty, Adv.
Mr. Snehasish Dey, Adv.
..for appellants
Mr. Jaydip Kar, Sr. Adv.
Mr. Niladri Bhattacharjee, Adv.
Mr. Sohom Bandyopadhyay, Adv.
...for respondent/ Corporation
Mr. Debangshu Dinda, Adv.
Ms. Sonal Sinha, Adv.
....for State

The Court: - Undertaking called for by the order dated August 12, 2025, filed in Court, be taken on record.

Learned Senior Advocate appearing for the West Bengal Transport Corporation Limited submits that, the appellants did not use the word 'undertaking' in the affidavit filed in Court today.

Learned Senior Advocate appearing for the appellants draws the attention of the Court, to the minutes of the meeting of the appellants

held on August 23, 2025 as annexed to the affidavit of undertaking. In particular, he draws the attention of the Court to the second paragraph of such resolution which authorizes the Secretary of the appellants to submit an undertaking to the effect of the resolution as adopted on August 23, 2025 and as recorded in the first paragraph thereof. He submits, therefore, this affidavit is an undertaking of the appellants to vacate the subject premises on or before July 31, 2026.

By an order dated August 12, 2025 we permitted the appellants to submit an undertaking, if they so desire.

The appellants held a meeting on August 23, 2025 in terms of the order dated August 12, 2025 passed by us.

Minutes of the meeting is annexed to the affidavit filed by the appellants in Court.

On August 23, 2025 the appellants resolved that, the appellants will make over the actual, vacant, peaceful, physical possession of the portion of the first floor including common area of ground floor occupied by IIIM (appellant no. 1) including the area for ingress at premises no. 101A, Manicktala Main Road, Kolkata 700054 to the respondent no. 5, in the aforesaid matter, i.e. The West Bengal Transport Corporation Ltd., a Govt. of West Bengal Undertaking, on or before July 31, 2026.

The appellants also resolved in the meeting held on August 23, 2025 that, the Secretary of the appellant no. 1 was authorized to file and affirm the affidavit and/or submit an undertaking to the effect of such resolution before the High Court.

In such circumstances, the affidavit filed today is an undertaking submitted by appellants in terms of the order dated August 12, 2025 and the resolution of the appellant no. 1 dated August 23, 2025.

By the present undertaking, the appellants undertake to make over actual, vacant, peaceful, physical possession of the portion of the first floor including the common area as stated in the resolution to the respondent no. 5 on or before July 31, 2026.

In view of the undertaking furnished today the appeal being APO/4/2025 is disposed of along with all connected applications by extending the time to vacate in terms of the undertaking furnished today.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)

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