

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/710/2024
IA No.GA-COM/1/2024, GA-COM/2/2024

ANJU DAS
VS
EVERSUB INDIA PVT LTD AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : April 4, 2025.

Appearance:

Mr. Mohit Gupta, Adv.
Mr. A.P. Agarwalla, Adv.
Ms. Suparna Das, Adv.
Mr. Jyotishman Sarkar, Adv.
... for the plaintiff

Mr. Vipul Kundalia, Adv.
Mr. Rajesh Bharadwaj, Adv.
Ms. Aritra Chakraborty, Adv.
Mr. Anindya Kanan, Adv.
... for the defendant no.1

Mr. Anurag Roy, Adv.
... for the defendant no.4

1. Mr. Mohit Gupta, learned Advocate, is appearing for the plaintiff.
2. Mr. Vipul Kundalia, learned Advocate, is appearing for the defendant no.1.
3. Mr. Anurag Roy, learned Advocate, is appearing for the defendant no.4.
4. Counsel for the plaintiff has handed over a communication dated 28th March, 2025 sent by the plaintiff to the Advocate on Record of the plaintiff wherein it was informed by the plaintiff that the plaintiff has decided not to continue the business of selling subway items from store no.57767 any further and to discontinue the instant legal

proceeding and requested the learned Advocate to withdraw the suit.

On the basis of the communication dated 28th March, 2025, counsel for the plaintiff prays for withdrawal of the suit.

5. Considered the submission made by the counsel for the plaintiff and perused the communication dated 28th March, 2025.
6. CS-COM/710/2024 is dismissed as withdrawn.
7. Consequently, the connected applications being GA-COM/1/2024 and GA-COM/2/2024 are also dismissed.
8. However it is made clear that dismissal of GA-COM/2/2024 filed by defendant no. 1 under Sections 5 and 8 of the Arbitration and Conciliation Act, 1996 will not debar the defendant no. 1 to take appropriate steps for appointment of Arbitrator in terms of Arbitration Clause if any occasion arises.

(KRISHNA RAO, J.)