

OCD-22

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
COMMERCIAL DIVISION

CS-COM/789/2024
IA NO. GA-COM/1/2024, GA-COM/2/2025

AMARNATH SINGH
VS
PRABHU SHANKER AGARWAL

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : February 14, 2025.

Appearance :

Mr. Chayan Gupta, Adv.
Mr. Shoham Sanyal, Adv.
Mr. Rajesh Upadhyay, Adv.
Mr. Akshay Jain Sukhani, Adv.
...for the plaintiff.

Ms. Manju Agarwal, Sr. Adv.
Mr. Rohit Banerjee, Adv.
...for the defendant.

The Court: Mr. Chayan Gupta, learned Counsel, is appearing for the plaintiff.

Ms. Manju Agarwal, learned Senior Counsel, is appearing for the defendant.

The plaintiff has handed over a communication dated 21st January, 2025 wherein the plaintiff has informed the learned Advocate-on-record that the matter has already settled out of this Court and as such the plaintiff is not intending to proceed with the matter and praying for withdrawal of the suit.

Counsel for the defendant further submits that the defendant has also filed an application being GA-COM/2/2025 and if this Court has allowed the plaintiff to withdraw the suit and dismissed the suit as

withdrawn, the application filed by the defendant will become infructuous and as such he may be granted leave to file appropriate proceedings before the appropriate Court of law when the occasion arises.

Heard learned Counsel for the respective parties and perused the communication dated 21st January, 2025. As per the submissions made by the Counsel for the plaintiff and the communication dated 21st January, 2025, CS-COM/789/2024 is dismissed as withdrawn. Consequently, the GA-COM/1/2024 filed by the plaintiff is also dismissed.

As regard GA-COM/2/2025 filed by the defendant is dismissed but however it is made clear that this Court has not gone into the merit of any of the matter.

(KRISHNA RAO, J.)

S.De/S.Mandi