

APOT/76/2026
WITH CS/4/2026
IA No.GA/1/2026

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

SNEHASISH BHAUMIK AND ORS.

-VERSUS-

WING CRD. SOMASANKAR
BHATTACHARYYA AND ORS.

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: 12th May, 2026

Appearance:

Mr. Siddhartha Banerjee, Adv.

Ms. Saheli Sen, Adv.

Ms. Debjani Sengupta, Adv.

Mr. Rajib Mullick, Adv.

Ms. R. Sen, Adv.

...for the appellants.

Mr. Rupak Ghosh, Adv.

Ms. Ahana Ghosh, Adv.

...for the appellant nos.4 & 5.

Mr. Surojit Nath Mitra, Sr. Adv.

Mr. Soumabho Ghose, Adv.

Ms. Tiana Bhattacharyya, Adv.

Mr. Soumalya Ganguli, Adv.

...for the respondent nos.1 to 7.

The Court :- Learned Advocate appearing for the appellant seeks leave to withdraw the appeal with liberty to file afresh on the self-same cause of action after anomalies in the cause title being pointed out.

Learned Advocate appearing for Mr. Dipak Kumar Mukherjee and Mr. Ranjan Majumdar submits that, his clients revoked the power of attorney and that, they do not want to be arranged as appellant in the appeal.

There are discrepancies in the cause title of the memorandum of appeal between the memorandum of appeal containing the certified copy and the second copy of the memorandum of appeal.

In such circumstances, appellants are permitted to withdraw the present appeal with liberty to file afresh on the self-same cause of action subject to payment of costs assessed at Rs.50,000/- payable to the West Bengal Legal Services Authority, Kolkata. Learned Advocate-on-record for the appellant is permitted to withdraw the certified copy of the impugned order dated February 9, 2026 after filing a duly authenticated copy thereof in the Department.

Since the proceeding relates to the affairs of a society, it is just and proper that the cost imposed do not come out of the proceeds of the society.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)