

APOT/240/2025  
IA No.GA/1/2025

IN THE HIGH COURT AT CALCUTTA  
Civil Appellate Jurisdiction  
ORIGINAL SIDE

BAHUBALI ESTATES LIMITED

-VERSUS-

SOMNATH ENCLAVE PRIVATE LIMITED  
AND ANR.

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: 10<sup>th</sup> April, 2026

Appearance:

*Mr. Sakya Sen, Sr. Adv.*  
*Mr. Avirup Chatterjee, Adv.*  
*Mr. Biswajib Ghosh, Adv.*  
*Mr. Rishov Das, Adv.*  
*...for the appellant.*

*Mr. Mainak Bose, Sr. Adv.*  
*Ms. Pallavi Sengupta, Adv.*  
*Mr. Sabyasachi Sen, Adv.*  
*...for the respondent no.1.*

*Mr. Supratim Laha, Adv.*  
*Mr. Avijit Dey, Adv.*  
*...for the respondent no.2.*

The Court :- In course of hearing of the appeal it is submitted on behalf of the respondents/plaintiffs that the plaintiffs do not wish to proceed with the suit itself.

Appeal is directed an order rejecting an application under Order VII Rule 11 of the Code of Civil Procedure, 1908.

Since the plaintiffs are unwilling to proceed with the suit as submitted today, no fruitful purpose would be subserved by keeping the appeal pending. Court is informed that the plaintiffs mentioned the suit before the learned Trial Judge for appropriate orders.

In view of such stand taken by the plaintiffs, APOT/240/2025 along with connected application is disposed of.

Since we were not invited to decide on the issue raised by the respective parties, the same are kept open.

**(DEBANGSU BASAK, J.)**

**(MD. SHABBAR RASHIDI, J.)**

A/s.