

20.12.2023
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SB
Ct. No.236

CRR 2049 of 2009
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CRAN 1 of 2009

In the matter of : M/S. PEC Limited & Ors.

Mr. Sandipan Ganguly, Ld. Senior counsel
Mr. Sourav Chatterjee ... for the petitioners

Mr. M.S. Tiwari
Mr. Pawan Gupta
Ms. Sofia Nesar
Mr. Santanu Sett ... for respondent no. 2

Mr. N. P. Agarwala
Mr. Pratick Bose ... for the State

1. This matter is listed with the consent of the learned counsel representing the parties.
2. Mr. Pawan Kumar Gupta, learned counsel representing the respondent No. 2 through his junior Ms. Sofia Nesar apprises the Court that he has retired from the brief.
3. It is rightly pointed out by Mr. Ganguly, learned senior counsel representing the petitioners, that this cannot be the procedure for seeking leave of the Court to retire from the brief by the learned counsel.
4. Ms. Nesar submits that she has no instruction in the matter. She is directed to inform learned advocate on record for the opposite parties.
5. Heard Mr. Sandipan Ganguly, learned senior counsel appearing on behalf of the petitioners.

6. Let the matter appear in the list on **21.12.2023** under the heading “**For Orders**”.

Later:

7. At this stage Mr. Pawan Gupta, learned counsel appearing on behalf of the respondent No. 2 submits that he wants to retire as counsel from this brief.

8. Having heard Mr. Gupta, I am inclined to accord the leave.

9. Mr. Moti Sagar Tiwari, learned advocate on record of respondent No. 2 is present who expresses his difficulty to assist the Court today itself. He is seeking an order listed the matter after the Christmas Vacation in the month of January, 2024.

10. Mr. Sandipan Ganguly, learned senior counsel has completed his argument.

11. Mr. Chatterjee, learned counsel representing the petitioners opposes the prayer of Mr. Tiwari and submits that on 11.12.2023 a copy of written notes of argument on behalf of petitioners was supplied to Mr. Gupta along with all judgments.

12. However, since Mr. Gupta has retired from his brief and Mr. Tiwari is seeking accommodation to prepare himself, let this matter be listed on **December 22, 2023** for further order.

(Siddhartha Roy Chowdhury, J.)