

OD-3

ORDER SHEET

IA No.GA/50/2021

In

CS/1147/1947

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

SMT. SAILI GHOSH & ORS.

Versus

DEBAPRIYO SEN & ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 13th April, 2021.

[Via video conference]

Appearance:

Mr. Goutam Dey, Adv.

Mr. Dipendu Sarkar, Adv.

Mr. Paramito Mukherjee, Adv.

... for the applicants

The Court: Learned counsel appearing for Ganesh Chandra Kundu and Somnath Dhar, *shebait*s of the deity, seeks to withdraw the application on the ground that the application which has been filed by the purchasers of the land should be filed by the landlords.

The prayer in the application does not have mention any specific order which the applicants seek rectification of. The order annexed to the application is of 17th May, 2017 passed by the Hon'ble Justice Sahidullah Munshi, as his Lordship then was.

There is an admitted delay in filing the application and also for the prayer which is made today for withdrawing of the said application.

There are at least four orders from February, 2021 which show that the applicants did not press the application.

In view of the above, the prayer for withdrawing of the application can only be permitted upon payment of costs which are assessed at Rs.20000/- to be paid to the Bharat Sevasram Sangha, Kolkata within three weeks from date.

IA No.GA 50 of 2021 is accordingly dismissed as withdrawn. The applicants will pay the costs as directed and furnish a receipt to the same to the Registrar, Original Side within the time stipulated. Liberty to apply.

(MOUSHUMI BHATTACHARYA, J.)