

ORDER

OD – 2

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/42/2023
WITH
CS/85/2016
IA NO: GA/1/2023
AWAM MARKETING LLP
VS
M/S. ORIENT BEVERAGES LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE I. P. MUKERJI
The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 29th August 2023.

Appearance:

Mr. Soumabha Ghose, Advocate
Ms. Tianna Bhattacharyya, Advocate
Ms. A. Banerjee, Advocate
... for appellant.

Ms. Arpita Saha, Advocate
Mr. Rishav Banerjee, Advocate
Ms. Rituparna Chatterjee, Advocate
... for respondent nos.13 and 14.

THE COURT:- We admit the appeal.

As the contesting respondents are represented in court, we dispense with issuance and service of the notice of appeal.

We expedite hearing of the appeal by dispensing with all formalities.

Advocate-on-record for the appellant shall file an informal paper book in this court by 15th September 2023 serving a copy on the respondents at least 7 days before the date of hearing of this appeal. Copies of the paper book should also be served on the non-contesting respondents.

List this appeal for hearing on 27th September 2023.

As it is an appeal from an order refusing to pass judgment upon admission in a suit by a landlord claiming eviction of the lessee/tenant, there is no scope of any interim order.

The appellant/plaintiff does not want to proceed with the trial of the suit till disposal of this appeal. The argument in support of such a prayer is considered by us. We allow the same. Learned counsel for the plaintiff may bring it to the notice of the learned judge trying the suit.

The stay application is disposed of.

As affidavits are not invited, the allegations contained in the stay application are deemed not to be admitted.

(I. P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)

s.kumar