

OD-4

IA No. GA/20/2022

In

CS/144/2016

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

SQUARE FOUR ASSETS MANAGEMENT & RECONSTRUCTION CO. P. LTD. & ORS.
-VS-
ORIENT BEVERAGES LTD. & ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : May 19, 2022.

Appearance:

Mr. Ratnanko Banerji, Sr. Adv.

Mr. Joy Saha, Sr. Adv.

Mr. Zeeshan Haque, Adv.

Ms. Sristi Barman Roy, Adv.

Mr. Dhilon Sengupta, Adv.

Mr. Subranil Dey, Adv.

Ms. Sudipta Paul, Adv.

Mr. Kaushik Banerjee, Adv.

Ms. Rashmita Sen, Adv.

Mr. Arnab Chakraborty, Adv.

Ms. Pragya Bhowmick, Adv.

The Court : The present application has been filed by the plaintiffs for a decree of eviction against the defendant no.1 and a judgment on admission in terms of a letter given by the defendant no.1 on 1st October, 2015.

Learned counsel appearing for the defendant no.1 submits that the said defendant is no longer interested in the property and that the property has been handed over to the plaintiffs on 1st October, 2015.

Learned counsel appearing for the defendant no.8 submits that an order, as prayed for, may be passed without prejudice to his rights and contentions.

After hearing learned counsel, it appears that the defendant no.1 has clearly stated that the lease dated 29th September, 1965 granted to the defendant no.1 has expired as on the date of the letter. The defendant no.1 has also stated that it intends to hand over the portions of the building to the plaintiffs at the earliest.

Considering the contents of the letter and the submissions made by counsel appearing on behalf of the defendant no.1, this Court is of the view that the application may be allowed and a decree of eviction may be passed against the defendant no.1 on the basis of the admission contained in the letter dated 1st October, 2015.

It is noted that no relief has been claimed against the defendant no.8 in the present application.

GA/20/2022 is allowed in terms of prayer (i).

Let the decree of eviction be accordingly passed against the defendant no.1 in terms of prayer (i).

Decree as against the defendant no.1 be drawn up expeditiously.

(MOUSHUMI BHATTACHARYA, J.)