

In the High Court at Calcutta
Commercial Division
Original Side

IA No. GA-COM/3/2025
In CS-COM/793/2024

THE ROMAN CATHOLIC ARCHDIOCESE OF CALCUTTA AND ORS
VS
CREATIVE CONSULTANTS

AND

IA No. GA-COM/4/2025
In CS-COM/793/2024

THE ROMAN CATHOLIC ARCHDIOCESE OF CALCUTTA AND ORS
VS
CREATIVE CONSULTANTS

BEFORE:

The Hon'ble JUSTICE ANIRUDDHA ROY

Date : January 26, 2026.

Appearance:

Mr. Rishav Karnani, Adv.
Mr. Sourath Dutta, Adv.
Mr. Sanjay Kumar Baid, Adv.
... for the plaintiffs

Mr. Mainak Bose, Sr. Adv.
Mr. L. N. Bhattaharjee, Adv.
Ms. S. Saha, Adv.
Mr. S. K. Ghosh, Adv.
... for the defendant

In Re : IA No. GA-COM/3/2025

The Court : The last Order dated **January 14, 2026** speaks for itself.

Mr. Mainak Bose, learned Senior Advocate appearing for the defendant/tenant, on instruction from his client, submitted on the last day that the defendant has decided to surrender the possession in favour

of the plaintiffs/landlords at the earliest. Accordingly, the defendant was granted liberty to do so.

Today when the matter has appeared under the heading “**For Settlement**”, Mr. Mainak Bose, learned Senior Advocate appearing for the defendant/tenant submits that the tenant has a right under the tenancy agreement with the landlords to sublet the demised premises. Accordingly, the tenant has sublet portion of the premises, who is now in possession.

Mr. Mainak Bose, learned Senior Advocate further submits that the tenant has in writing requested sublettee occupier under it to make over vacant possession to the landlords.

The tenant thereafter, by its letter dated **February 10, 2026** intimated the learned Advocate on Record for the landlords to take over possession of the demised premises on the date and time fixed by the tenant. On such fixed date and time, learned Advocate on Record for the landlords accompanied by the landlords were present at the premises but they refused to take physical possession from the tenant, on the plea that the tenant should have handed over vacant possession of the demised premises. Since the sublettee is in occupation of the demised premises, the landlords refused to take possession.

Mr. Rishav Karnani, learned Advocate with Mr. Sourath Dutt, learned Advocate appearing for the landlords submits that at no point of time the landlords were aware of creation of any sub-tenancy or subletting of the demised premises. No notice whatsoever was served upon the landlords in this regard.

Be that as it may, both the parties are directed to file their respective affidavits with supportive documents on or **before March 18, 2026**.

The matter shall appear under the heading “**For Orders**” on **March 24, 2026**.

In Re : IA No. GA-COM/4/2025

Mr. Bose, learned Senior Advocate appearing for the tenant in this application, on instruction from his client and in view of the subsequent development, as recorded in today’s order passed in **GA-COM/3/2025**, prays for withdrawal of this application.

Accordingly, this application **GA-COM/4/2025** stands **dismissed as withdrawn**, without any orders as to costs.

(ANIRUDDHA ROY, J.)

RS