

B
ITEM NO.44

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9533/2013

(From the judgement and order dated 07/01/2013 in CO No.3922/2012 of The HIGH COURT OF CALCUTTA)

ALOKE KUMAR TEWARI & ORS.

Petitioner(s)

VERSUS

ASIT KUMAR TEWARI & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 18/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. Ranjan Mukherjee,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against order dated 07.01.2013 passed by the learned Single Judge of the Calcutta High Court in C.O. No. 3922 of 2012.

After making some submissions, Shri Ranjan Mukherjee, learned counsel for the petitioners made a request that his clients may be permitted to withdraw the special leave petition with liberty to challenge the preliminary as well as final decrees by filing an appeal along with an application for condonation of delay.

The request of the learned counsel is accepted and the special leave petition is dismissed as withdrawn with liberty in terms of the prayer made.

However, it is made clear that the liberty given by this Court shall not be construed as a mandate to the concerned Court to entertain the application which may be filed by the petitioners and such an application shall be decided at its own merits.

|(Parveen Kr.Chawla)

|Court Master

|(Phoolan Wati Arora)

|Court Master