

ITEM NO.42

COURT NO.9

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 (C) No(s).17205/2013

(Arising out of impugned final judgment and order dated 18-02-2013 in CO No. 326/2013 passed by the High Court At Calcutta)

NIRMAL KUMAR BHATTACHARJEE & ANR.

Petitioner(s)

VERSUS

MALAY KUMAR DEY . & ORS.

Respondent(s)

Date : 18-01-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Santosh Mishra, AOR

For Respondent(s)

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

Considering the fact that the appeal pending in this Court, arising from the first suit, has already been disposed of on 14.11.2017 being C.A. No.18624/2017, the basis on which objection was taken to proceed with the second suit does not survive.

Special leave petition is disposed of with liberty to the petitioner to pursue all contentions permissible in law in the second suit, which be decided in accordance with law.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)
COURT MASTER (SH)

(ANITA RANI AHUJA)
COURT MASTER (NSH)