

Present: Sri Dev Kumar Sukul (JO Code: WB00766)
Judge, Commercial Court at Alipore
Money Suit 16 of 2022
WBSP18-000039-2022

Order No. 21
16.12.2022

In the matter of:
Suit for declaration and
permanent injunction and
recovery of money
alongwith interest valued
at Rs.20 Crores.

And

In the matter of:
Samirendra Nath Dutta

Vs.

In the matter of:
Animesh Chandra Sen &
07 ors.

ORDERED

1. Today is fixed for hearing of the withdrawal petition being I.A. no. 25/2022.
2. Plaintiff files hazira.
3. Defendants no. 1, 2, 3 to 6 and Defendants no. 7 & 8 file their respective haziras.

I.A. no. 25/2022

4. Ld. Counsel for the Plaintiff submits original Power of Attorney dated 15.12.2022 wherein the Plaintiff has appointed one Mr. Anirban Das to act as the Constituted Attorney on his behalf.
5. At this stage, the instant application filed by the Plaintiff praying for withdrawal of the present suit, is taken up for hearing.
6. Heard both sides.
7. In support of the withdrawal application, one Mr. Anirban Das, the Constituted Attorney of the Plaintiff, has been examined as PW-1 and discharged.
8. During evidence, PW-1 identified the original Power of Attorney dated 15.12.2022 issued by the Plaintiff on his favour thereby

authorizing him to deal with the present case and also to execute any documents and to give evidence on behalf of the Plaintiff. The said original Power of Attorney dated 15.12.2022 is marked as **Exbt. 1**.

9. On examination of the above evidence and after hearing of both parties, I find that the dispute between the parties have already been resolved amicably out of Court between the parties at the intervention of common friends and well wishers. Accordingly, Plaintiff is not willing to proceed with the present suit. Furthermore. I also find that the present application praying for withdrawal of the instant suit has been filed by the Plaintiff voluntarily and without any coercion, fraud or misrepresentation.
10. Hence it is

ORDERED

that the instant suit be and the same is hereby disposed off as being withdrawn by the Plaintiff.

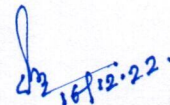
11. **I.A. no. 25/2022 be disposed off accordingly.**
12. **Ad-interim order of injunction dated 21.05.2022 is hereby vacated.**
13. **Pending I.A.s if any, also stand disposed off.**
14. **Both parties are to act on the basis of the downloaded copy of the ordersheet from the Web-site/Ecourts-app.**

Dictated & corrected by me,



Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

**JUDGE
COMMERCIAL COURT AT ALIPORE**



Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram

**JUDGE
COMMERCIAL COURT AT ALIPORE**