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IN THE HIGH COURT AT CALCUTTA
EXTRA ORDINARY ORIGINAL JURISDICTION
ORIGINAL SIDE

ALP/7/2023

MR. VIJAY AGARWAL
Vs.
LIFE INSURANCE CORPORATION OF INDIA & ORS.

BEFORE:
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY

Date: 12th November, 2024.

Appearance:
Ms. Sayani Gupta, Adv.
Ms. Neelanjana Roy, Adv.
...for the respondents

The Court:- The instant application has been filed under Clause 13 of the Letters Patent, inter alia, praying for transfer of the Title Suit No.775/2017 (Vijay Agarwal vs. LIC) pending before the 11th Bench, Learned City Civil Court, Calcutta to this Hon'ble Court as an extra ordinary suit.

Ms. Sayani Gupta, learned advocate appearing for the respondents would submit that, a Rule in connection with the aforesaid application has been served on the respondents. She, by placing before this Court the order No.96 dated 5th September, 2024 passed by the 11th Bench, Learned City Civil Court, Calcutta, would, however, submit that the Title Suit No.775/2017 pending before the 11th Bench, Learned City Civil Court, Calcutta has since been withdrawn on the basis of a

petition filed under Order XXIII of the Code of Civil Procedure read with Section 151 thereof.

Let a copy of the aforesaid order No.96 dated 5th September 2017 be retained on this Court.

Having regard thereto, since the original suit has already been withdrawn, the application being ALP/7/2023 having become infructuous cannot be proceeded with further.

The Rule accordingly stands discharged treating as disposed of.

Leave is granted to Ms. Gupta to file Vakalatanama before the department in course of this day.

(RAJA BASU CHOWDHURY, J.)

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