

ITEM NO.32

COURT NO.1

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No.30774/2017

(Arising out of impugned final judgment and order dated 23-06-2017 in GA No. 272/2016 passed by the High Court at Calcutta)

EVERGREEN COMPLEX PVT. LTD & ORS.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

(With appln.(s) for c/delay in filing SLP, exemption from filing c/c of the impugned judgment, c/delay in refiling SLP and permission to file lengthy list of dates)

Date : 20-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Umang Shankar, AOR

For Respondent(s)

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

Delay condoned.

It is submitted by Mr. Shyam Divan, learned senior counsel that the first petitioner - Evergreen Complex Pvt.Ltd. intends to withdraw from the transaction and, therefore, the amount should be refunded.

In view of the aforesaid, we grant liberty to the

petitioner to file an appropriate application before the High Court clearly stating that it is no more interested in any transaction and wants to get out of the same and, therefore, money should be refunded to it as payable in law. If such an application is filed within two weeks hence, the same shall be dealt with appropriately by the High Court in accordance with law within four weeks therefrom. We have made such a request to the High Court as the matter is pending for some time and the petitioner has voluntarily stated that it intends to withdraw from the transaction in view of the objection made by the State.

With the aforesaid liberty and request, the special leave petition stands disposed of.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar