

18.09.2014

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RP

Ct.04

**FMAT 1022 of 2014**  
**CAN 9206 of 2014**  
**Apsara Merchandise Pvt. Ltd. & Anr.**  
**Vs.**  
**K.M.C. & Ors.**

Mr. Rupak Ghosh

Mr. Ayan Kumar Boral ..... For the Appellant

Mr. D.P. Mukherjee

Mr. Smritikana Mukherjee

Mr. Swapan Kumar Debnath

....For the Respondents

The application being CAN 9206 of 2014 is treated as on the day's list.

We are told that the facts and circumstances of this case are similar and identical as those of FMAT 1020 of 2014+CAN 9204 of 2014 (**Esan Freight & Travels Pvt. Ltd. & Anr. Vs. K.M.C. & Ors.**) of the day's list which we have dismissed on merit. Therefore the order passed in FMAT 1020 of 2014+CAN 9204 of 2014 shall apply mutatis mutandis to this case. The appeal and the connected application are also dismissed for the same reason.

Urgent xerox certified copy of this order, if applied for, be delivered to the learned Advocates for the parties, upon compliance of all formalities.

(Girish Chandra Gupta, J. )

(Shib Sadhan Sadhu, J.)

