

11.07.2022

ss

C.O. 1907 of 2022

Sri Suman Saha

Vs.

Smt. Arpita Saha

Ms. Moumita Pandit

... For the petitioner

Learned lawyer appearing for the petitioner submits that the petitioner has wrongly filed the revisional application under Section 24 of the Code of Civil Procedure seeking transfer of a maintenance case under Section 125 of the Code of Criminal Procedure. Learned lawyer submits she be permitted to withdraw the case with liberty to file fresh application in accordance with law.

It appears that the petitioner has sought for transfer of a maintenance case under Section 125 of the Code of Criminal Procedure from the court of the learned Judicial Magistrate at Purulia to the concerned court at Alipore.

Since the proceeding under Section 125 of the Code of Criminal Procedure cannot be transferred in exercise of power under Section 24 of the Code of Civil Procedure, the petitioner may be permitted to withdraw the revisional application with liberty to file appropriate application in accordance with law.

Accordingly, the petitioner is permitted to withdraw the revisional application with liberty to file appropriate application in accordance with law.

With the above observations, this revisional application is dismissed as withdrawn.

(Rabindranath Samanta, J.)