

31.08.2022
SL No.4
Court No.8
(gc)

**FAT 282 of 2020
CAN 1 of 2021**

**Shri Krishnendu Adak
Vs.
Smt. Moulekha Adak (Maity)**

Mr. Suman Sankar Chatterjee,
...for the Appellant.

Learned Counsel for the appellant submits that he has received a written instruction from the appellant dated 29th August, 2022 with a clear instruction to withdraw the matrimonial appeal as the parties have agreed to file a mutual divorce case before the Trial Court. In the communication, it is stated that an application under Section 13B of the Hindu Marriage Act, 1955 being case No.22/2022 has been filed before the learned Court having jurisdiction.

In view of the aforesaid, the appeal and the connected application stand dismissed for non-prosecution.

The original letter of instruction dated 29th August, 2022 is kept with the record.

The department is directed to communicate this order to the respondent by speed post with acknowledgment due within one week from date. LCR if arrived to be returned along with a copy of this order.

(Uday Kumar, J.)

(Soumen Sen, J.)