

D/L19
13.10.2023
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C.R.R.1082 of 2023

In Re: An application under Article 227 of the Constitution of India;

Mayank Rathi and others
Versus
The State of West Bengal and another

Mr. Falguni Bandyopadhyay
Ms. Riya Ballav.
...for the petitioners.

Learned advocate appearing for the petitioners submits that the present revisional application has been preferred against the dismissal of an application under Section 340 of the Code of Criminal Procedure. Against an order of dismissal under Section 340 of Code of Criminal Procedure, an appeal lies before the jurisdictional appellate court under Section 341 of the Code of Criminal Procedure. Learned advocate submits that he intends to withdraw the present revisional application and prefer an appeal before the jurisdictional court.

Accordingly, CRR 1082 of 2023 is dismissed as not pressed.

Petitioners are granted liberty to prefer an appeal before the appropriate forum.

Department is directed to return the certified copy to the learned advocate on record of the petitioners on the same being replaced by photostat copy.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)