HIGH COURT OF TRIPURA
AGARTALA

CRP No.49 of 2024

United India Insurance Co. Ltd., Agartala Division, RMS Chowmuhani, Opposite of Kiran Medical Hall, P.S- West Tripura, PIN-799001.

…… Petitioner(s).

Versus

1. Smt. Babli Bhadra, W/o Sri Babul Bhadra of Das Para, P.O- West Noabadi, R.K Pur P.S- Bodhjungnagar, District- West Tripura, PIN-799008.
2. M/s Pran Beverages Pvt. Ltd., 31, Hari Ganga Basak Road, Jagat Bazar (First Floor), Agartala, P.S- West Agartala, District- West Tripura (Owner of vehicle bearing No.TR-01-AD-0448, Bolero).

……. Respondent(s).

For Petitioner (s) : Mr. P. Gautam, Advocate.

For Respondent(s) : Mr. G.S. Das, Advocate,
Mr. K. Deb, Advocate.

HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH

Order

26/09//2024

An objection has been taken by learned counsel for the defendant that the order rejecting the application under Order IX Rule 13 of the CPC impugned herein is appealable under Order XLIII Rule 1(d) of the CPC. Therefore, the petition under Article 227 of the Constitution of India is not maintainable.

In those circumstances, Mr. P. Gautam, learned counsel for the petitioner, seeks permission to withdraw this instant revision petition with a liberty to file an appeal as per Order XLIII Rule 1(d) of the CPC.

Permission is granted.

Accordingly, the instant revision petition is disposed of as withdrawn. Pending application(s), if any, shall also stand disposed of.

(APARESH KUMAR SINGH), CJ

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