

02.05.2024
36
Ct. no. 652
sb

CO 722 of 2020

**Abdul Hannan Halder
Vs.
Mosaraf Gazi & Ors.**

Ms. Shohini Chakraborty ...for the Petitioner

Ms. Chakraborty, learned counsel for the petitioner candidly submits that the impugned order no. 43 dated 7th May, 2018 was passed by directing to return the plaint under Order VII Rule 10 of the Code of Civil Procedure in respect of which appeal lies under Order 43 Rule 1(a) of the Code. Accordingly, she wants to withdraw the present application for presenting the same before the appropriate appellate forum.

In such view of the matter, C.O. 722 of 2020 is hereby disposed of by giving liberty to the petitioner to ventilate his grievance before the appropriate forum.

Let certified copy of the impugned judgment filed by the petitioner, be returned to the petitioner subject to filing copy of the same.

(Ajoy Kumar Mukherjee, J.)