

24
06-12-2024
Ct. No.34
b.das

CRR No. 2561 of 2024

In the matter of : Gladiolus Micro Services Pvt. Ltd.

. petitioner.

Mr. Sabyasachi Banerjee

Mr. Yash Vardhan Deora

...for the petitioner.

Supplementary affidavit filed by the petitioner is taken on record.

It appears from an application filed by the complainant/private opposite party before the learned Trial Court in CNS 1835 of 2024 that the private opposite party intended to withdraw the case on the ground that some major details were missing in the petition of complaint.

The private opposite party adduced evidence in support of the application before the learned Trial Court wherein he stated that “Due to some technical issues, the management filed the case by mistake with some details missing. He mistake was unintentional. Hence, the complainant intends to withdraw this instant case with the liberty to refile the case.I have no objection, if the accused person is acquitted from this instant case.”

Surprisingly, by an order passed on 24th July, 2024, the learned Trial Court has held that the

complainant/private opposite party deposed before the learned Court to the effect that the matter was settled out of Court and the private opposite party did not intend to proceed any further. The private opposite party was allowed to withdraw the case on such ground.

This Court fails to understand on what basis such observation with regard to purported amicable settlement was recorded by the learned Trial Court in allowing the private opposite party to withdraw the case.

However, since the matter before the learned Trial Court has been withdrawn, the present revisional application having become infructuous, is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)