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**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

SAT 241 of 2024

**NAIMUN NESHA
Vs.
MD. ALI ANSARI & ORS.**

MR. MASUD KARIM, ADVOCATE

.....for the Appellant

1. It is submitted by the learned Advocate-on-record of the appellant that there is a fatal defect in the instant appeal which is incurable and, therefore, prays for withdrawal of the same with liberty to file afresh on the self-same cause of action.
2. After going through the memorandum of appeal, we find that the instant appeal contains a fatal defect which is not capable of being cured.
3. Accordingly, the appeal being **SAT 241 of 2024** is **dismissed as withdrawn** with liberty to file afresh challenging the selfsame decree of the Trial Court.

(HARISH TANDON, J.)

(PRASENJIT BISWAS, J)

