

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction**

C.O. 214 of 2024

In re: Jiten Chandra Arya @ Arjya & Ors.

Mr. Sandip Guha Roy

Mr. Ananda Paul

... For the Petitioners

Mr. Sourav Sarkar

... For the Opposite Party no. 1

Heard learned counsels for the petitioners
and the opposite party no. 1.

The petitioners seek withdrawal of the suit
pending before the learned Additional District and
Sessions Judge, Fast Track, 2nd Court, Jalpaiguri.
Learned counsel for the petitioners submits that an
application filed by the petitioners before the
learned Judge under Order XXIII Rule 3 of the Code
of Civil Procedure has not been considered as yet.

In view of the above, learned Additional
District and Sessions Judge, Fast Track, 2nd Court,
Jalpaiguri is directed to consider and dispose of the
application filed by the petitioners under Order
XXIII Rule 3 of the Code of Civil Procedure on the
next date of hearing fixed before him and if the
same is not possible on the said date due to
unforeseen reasons, within two weeks thereafter,
upon affording reasonable opportunity of hearing to

the parties and without granting any unnecessary adjournment to either of the parties, in accordance with law.

C.O.214 of 2024 is disposed of.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J)