

AD-07
Ct No.16
14.05.2025
TN

FAT 10 of 2025
IA No: CAN 1 of 2025

Sekh Kutubuddin
Vs.
Panchanan Das

Mr. Jit Ray,
Mr. Ahasnish Ghosh,
Ms. Mahima Mukherjee

....for the appellant

1. Learned counsel appearing for the appellant/petitioner submits that the present appeal has been wrongly preferred instead of a revisional application/application under Article 227 of the Constitution of India, since the impugned order is not an appealable one. After detection of the same, the present application has been filed for withdrawal of the appeal.
2. Accordingly, IA No: CAN 1 of 2025 is allowed, thereby dismissing FAT 10 of 2025 as not pressed, with liberty to the appellant to prefer an appropriate challenge against the order impugned herein.
3. Leave is granted to the learned Advocate-on-record for the appellant to take back the certified copy of the impugned order upon furnishing a photocopy of the same for the records.
4. It is made clear that the merits of the matter have not been gone into by this court.

5. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)