

1st April,
2025
(AK)
27

F.A.T 63 of 2025
IA No: CAN 1 of 2025

Sulekha Sen and another
Vs.
Soumitra Sen and others

Mr. Shibendranath Chattopadhyay
Mr. Tanupriyo Roy

...for the appellants.

1. Learned counsel for the appellants submits that since the appeal has been filed before this court erroneously, the appellants seek to withdraw the appeal.
2. We also find from the report of the Stamp Reporter that the appeal has been filed wrongly before this court taking into account the pecuniary jurisdiction.
3. Accordingly, F.A.T. 63 of 2025 along with CAN 1 of 2025 are dismissed as withdrawn with liberty to the appellants to file afresh on the self-same grounds before the appropriate court having pecuniary jurisdiction.
4. Leave is granted to the learned Advocate-on-record for the appellants to take back the certified copies of the judgment and decree impugned herein, upon furnishing photocopies of the same for the records.

5. Leave is granted to the appellants to file an appropriate application before the court where the appeal shall now be presented for exemption of the court fees which has already been deposited in connection with the present appeal.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)