

Form No. J(2)

In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

Present: The Hon'ble Justice Sabyasachi Bhattacharyya
And
The Hon'ble Justice Uday Kumar

FA 32 of 2021
IA No: CAN 1 of 2018
(Old No: CAN 4373 of 2018)
CAN 3 of 2024

Smt. Pranati Maity
Vs.
Sri Kajal Baran Bera and others

For the appellant	:	Mr. Manish Kumar Das, Mr. Ziaul Haque, Mr. Kartik Das
For the respondent no.1	:	Mr. Balailal Sahoo
Heard on	:	02.04.2025
Judgment on	:	02.04.2025

Sabyasachi Bhattacharyya, J.:-

1. CAN 3 of 2024 is an application substantially for withdrawal of the appeal on the ground that the parties have already filed a compromise petition in the court below in connection with the partition suit, against the preliminary decree passed in which the present appeal has been preferred.

2. Upon hearing learned counsel, we accordingly allow CAN 3 of 2024 without any order as to costs.
3. Accordingly, FA 32 of 2021 along with CAN 1 of 2018 (Old No: CAN 4373 of 2018) are dismissed as withdrawn.
4. The department shall send down the records to the trial court at the earliest.

(Sabyasachi Bhattacharyya, J.)

I agree.

(Uday Kumar, J.)