

D/L- 25
07/03/2025
Ct. No.-6
Aritra

C.O. 814 of 2025

**Jogeshwar Rai & Ors.
Versus
Ranjit Kumar Rai & Ors.**

Mr. Amal Kr. Banerjee
...for the petitioner

By the order impugned the application under Order 39 Rule 4 of the Code of Civil Procedure stood rejected. Such an order is an appealable order under Order 43 Rule 1(r) of the Code of Civil Procedure.

Faced with such situation, the learned advocate appearing for the petitioner prays for leave to withdraw this application with liberty to approach the appropriate forum.

In the light of the aforesaid submissions CO 814 of 2025 stands dismissed as withdrawn with liberty to the petitioner to challenge the order impugned before the appropriate forum in accordance with law.

The learned advocate on record of the petitioner shall be permitted to take back the certified copy of the order impugned by replacing the same with a photostat copy thereof.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)