

**CRR 1213 of 2024**

Sarmistha Paul  
Vs.  
Ashim Paul

Adv. Md. Shamimuddin,  
Adv. Sk. Samiul Haque,  
Adv. Raunak Shaw,

...for the petitioner.

After completion of submission by the learned counsel for the petitioner, learned counsel for the opposite party submits that the order dated 17<sup>th</sup> January, 2024 passed by the learned Judicial Magistrate, 1<sup>st</sup> Court, Barasat in M. Case no. 402 of 2020 which is assailed in the present application, has been assailed by the opposite party before the learned Sessions Judge, Barasat seeking reduction of the interim maintenance granted by the said order.

It is not in dispute that notice of the said revisional application has been served upon the petitioner. In the entire submission made on behalf of the petitioner, pendency of the said revisional application has not been disclosed which amounts to suppression of material fact before this Court.

In view of the fact that the order impugned is under challenge before the learned Sessions Judge, Barasat, the present issue ought to be decided by the same Court in order to avoid conflict of decisions.

The petitioner is at liberty to withdraw the revisional application and take appropriate steps before the learned Sessions Judge, Barasat.

Certified copies of the documents filed by the petitioner herein be returned to the petitioner upon furnishing photocopies thereof.

CRR 1213 of 2024 is dismissed as withdrawn.

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

**(Suvra Ghosh, J.)**