

C.O. 1365 of 2025

Mujibar Mondal @ Mujibar Rahaman
-versus-
Majida Bibi & Ors.

Mr. Amitabha Ghosh
..for the petitioner

This application under Article 227 of the Constitution of India has been filed challenging an order dated 6th March, 2025 passed by the learned Civil Judge (Junior Division), 1st Court at Barasat by virtue of which the order of ad interim injunction was extended.

It is not in dispute that the ad interim order of injunction was passed in exercise of powers under Order 39 Rule 1 and 2 of the Code of Civil Procedure. The impugned order is an appealable one under the provisions of Order 43 Rule (1)(r) of the Code of Civil Procedure.

In view thereof, this Court is not inclined to entertain this application.

At this stage, learned advocate appearing for the petitioner prays for leave to withdraw this application with liberty to approach the appropriate forum in accordance with law.

In view thereof, C.O. 1365 of 2025 is dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law on the self same cause of action.

Learned advocate appearing for the petitioner is permitted to take back the certified copy of the order impugned upon furnishing a photostat copy thereof.

(Hiranmay Bhattacharyya, J.)