

D/L- 53
13/05/2025
Ct. No.-6
Aritra

C.O. 1617 of 2025

**Matiuddin Khan
Vs.
Asfaque Khan & Anr.**

Mr. D.K. Adhikary
Mr. Sourav Mitra
Ms. Sreyasree Choudhury
....for the petitioner

Ms. Manali Ali
Mr. Zulfiqar Ali Al-Quaderi
Mr. Soumalya Ganguly
....for the opposite parties

The learned advocate appearing for the petitioner submits that through inadvertence this application under Article 227 of the Constitution of India was filed against the order being No.5 dated April 8, 2025 passed in Miscellaneous Appeal No.11 of 2025 by the learned District Judge, Paschim Medinipur. He submits that an appeal shall lie before the Hon'ble Division Bench of this Court. The learned advocate for the petitioner prays for leave to withdraw this civil revision application with liberty to approach the appropriate forum.

The opposite parties are represented by their learned advocates.

In the light of the submission made by the learned advocate for the petitioner, CO 1617 of 2025 stands dismissed as withdrawn with liberty to the petitioner to

approach the appropriate forum on the selfsame cause of action in accordance with law.

The learned advocate for the petitioner is permitted to take back the certified copy of the order impugned by replacing the same with 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.)