

Court No. 6
(265719)

19.05.2025
(AD 33)
(S. Banerjee)

CO 1673 of 2025

Taslim Uddin Ahammad Sarkar
Vs.
Sultan Uddin Ahamed Sarkar & Ors.

Mr. Gautam Das
Mr. G. F. Hossain
Ms. Varsha Roy

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the second defendant and is directed against an order being no. 95 dated March 5, 2025 passed by the learned Civil Judge (Sr. Division) 1st Court Sadar, Paschim Medinipur in Title Suit No. 200 of 2010.

By the order impugned the application filed by the petitioner praying for recalling the order dated April 8, 2024 and to allow the petitioner to file the written objection against the said report was rejected.

It appears from the order dated April 8, 2024 that the report submitted by the learned Partition Commissioner was accepted. The suit was decreed in final form on contest on the basis of the report of the learned Partition Commissioner and the report of the learned Partition Commissioner along with the map of partition formed part of the preliminary decree. It

further appears from the order dated April 8, 2024 that the suit was disposed of on contest.

In view thereof, this court is not inclined to interfere with the order impugned.

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

In the light of the submissions made by the learned advocate appearing for the petitioner, CO 1673 of 2025 stands dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law.

Petitioner is permitted to take back the original certified copy of the order impugned by replacing the same with a Photostat copy thereof.

(Hiranmay Bhattacharyya, J.)