

M/L- 6
07/07/2025
Ct. No.-6
Aritra

C.O. 2356 of 2025

**Smt. Niva Ghosh & Ors.
Vs.
Sri Bijoy Kumar Das & Ors.**

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
Mr. Kaustav Bhattacharya
Ms. Priyanka Jana

...for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the plaintiffs and is directed against an order being No.2 dated June 16, 2025 passed by the learned District Judge, Howrah in Title Appeal No.61 of 2025.

By the order impugned, leave was granted to the opposite party Nos.2 and 3 to prefer an appeal.

Mr. Mukherjee, learned advocate appearing for the petitioner, on instruction, submits that when the matter was taken up by the learned District Judge, Howrah on June 16, 2025, the petitioner/respondent in the said appeal filed a written objection and in course of argument has also raised objection against grant of leave to prefer an appeal. He submits that the submission of the learned advocate for the respondent has not been taken note of by the learned District Judge, Howrah while passing the order dated June 16, 2025.

In view thereof he prays for leave to withdraw this civil revision application with liberty to approach the learned District Judge, Howrah in Title Appeal No.61 of 2025 for appropriate relief.

In the light of the submission made by Mr. Mukherjee, CO 2356 of 2025 stands dismissed as withdrawn with liberty to the petitioner to approach the learned District Judge, Howrah with an appropriate application. If such an application is filed, the learned District Judge, Howrah is requested to consider and dispose of the same in accordance with law as expeditiously as possible after giving an opportunity of hearing of the respective parties and by passing a speaking order

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.)