

D/L- 19
06/08/2025
Ct. No.-6
Aritra

C.O. 2737 of 2025

Smt. Mira Dutta & Anr.
Vs.
Smt. Madhumita Dutta

Mr. Dipak Chowdury

...for the petitioner

The learned advocate for the petitioner submits that though in the cause title it has been stated that the order dated May 20, 2025 has been challenged, but the petitioner is really aggrieved by the order dated May 23, 2025 by virtue of which an ad interim order of injunction was passed.

On the prayer of the learned advocate appearing for the petitioner leave is granted to the learned advocate on record of the petitioner to amend the cause title of the civil revision application here and now.

By the order dated May 23, 2025 an ad interim order of injunction was passed on an application under Order 39 Rule 1 and 2 of the Code of Civil Procedure. Such an order is an appealable order in view of Order 43 Rule 1(r) of the Code of Civil Procedure. In view thereof, the civil revision application is not entertained.

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

In the light of the submissions made by the learned advocate for the petitioner, CO 2737 of 2025 stands dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law.

The learned advocate on record of the petitioner shall be permitted to take back the certified copy of the order impugned by replacing the same with a 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.)