

Court No. 6
(265719)

04.08.2025
(A 6)
(S. Banerjee)

CO 2747 of 2025

Sk Rezaul Hossain
Vs.
Serajul Hossain

Sk Jakir Hossain

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against order dated June 30, 2025 passed by the learned Civil Judge (Sr. Division) 2nd Court, Paschim Medinipur in Title Suit No. 200 of 2025. By the order impugned the application under Order 39 Rule 1 and 2 of the Civil Procedure Code filed by the petitioner herein, stood rejected.

The said order being an appellable order under the provisions of Order 43 Rule 1(r) of the Civil Procedure Code, this court is not inclined to entertain this application.

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

In the light of the submission made by the learned advocate appearing for the petitioner, CO 2747 of 2025 stands dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law.

Learned advocate-on-record of the petitioner is permitted to take back the certified copy of the order impugned by replacing the same with a Photostat copy thereof.

(Hiranmay Bhattacharyya, J.)