

D/L- 24  
25/08/2025  
Ct. No.-6  
Aritra

**C.O. 3082 of 2025**  
**Sri Joydeb Mondal & Ors.**  
**Vs.**  
**Gobinda Mondal**

Mr. Dhananjay Nayak  
Mr. Abhinaba Mukherjee

....for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the appellant in Title Appeal No.58 of 2017 and is directed against an order being No.45 passed by the learned Additional District Judge, Basirhat, District-North 24-Parganas.

By the order impugned the application under Section 5 of the Limitation Act praying for condonation of delay in preferring the title appeal stood rejected.

The order impugned is an appealable one in view of the decision of the Hon'ble Supreme Court in the case of **Shyam Sundar Sarma vs Pannalal Jaiswal & Ors.**, reported at **(2005) 1 SCC 436**.

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In view thereof, CO 3082 of 2025 stands dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law.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 is 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.)***