

OD-12

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

CS/192/2024

SRI RUPEN BANERJEE AND ANR
VS
DEBOTTOR SREE SREE SHIB THAKURER SEBAIT GAN TRUSTEE ESTATE

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : February 12, 2025.

Appearance:

Mr. Biswarup Mukherjee, Adv.

Mr. Bhaskarmoy Dey, Adv.

...for the plaintiffs

The Court: Mr. Biswarup Mukherjee, learned Counsel, is appearing for the plaintiffs.

The matter is listed as "To Be Mentioned" on the submission made by the Counsel for the plaintiffs.

Counsel for the plaintiffs submits that there are some defects in the plaint filed by the plaintiffs and the plaintiffs cannot move amendment application at this stage as the suit has not been admitted.

Counsel for the plaintiffs prays for withdrawal of the suit with liberty to file afresh on the same cause of action with same Court fee.

Counsel for the plaintiff is given liberty to withdraw the suit with liberty to file afresh.

Accordingly, CS/192/2024 is dismissed as withdrawn with liberty to file afresh on the same cause of action.

The department is directed to refund the Court fee to the plaintiff and to utilize the said Court fee if the plaintiff intends to file afresh.

(KRISHNA RAO, J.)

Sbghosh