

D/L.36.
February 17, 2026.
MNS.

FMAT No. 9 of 2026
+
CAN 1 of 2026

Rajashri Giri
Vs.
Kabita Giri and another

Mr. Sibashis Chowdhury

... for the appellant.

1. The learned Advocate for the appellant, in his usual fairness, submits that the appeal has been erroneously preferred before us, since this Court does not have pecuniary jurisdiction to entertain the same.
2. Accordingly, on the prayer of the learned Advocate for the appellant, the appeal is dismissed as withdrawn, with liberty to prefer an appeal against the self-same impugned order before the appropriate court having pecuniary jurisdiction.
3. CAN 1 of 2026 is disposed of accordingly as well.
4. There will be no order as to costs.
5. Leave is granted to the learned Advocate-on-record for the appellant to take back the certified copy of the impugned order, upon furnishing a photocopy of the same for the records.

(Supratim Bhattacharya, J.) (Sabyasachi Bhattacharyya, J.)