

M/L Item No.- 14
08.06.2026
Court No. 6
Rohan

**In the High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side**

**C.O. 4567 of 2025
With
I.A. No.: CAN 1 of 2026**

**Samim Molla
Versus
Tanyeer Sabiba Boksh**

Mr. Samim Ahammed
Ms. Saloni Bhattacharya
Mr. Asif Ikbai Baidya
Ms. Reshma Khatun

... for the Petitioner

Mr. Sharanya Chatterjee
Mr. Subham Ghosh

... for the Opposite Party

1. Supplementary affidavit filed on behalf of the petitioner is taken on record.
2. Mr. Ahammed, learned advocate appearing for the petitioner submits that the petitioner has been able to lay his hands on certain documents which were not available to the petitioner at the time when the matter was being heard by the learned Trial Court and as such, the same could not be placed before the learned Trial Court. However, he fairly admits that since this Court is exercising revisional jurisdiction under Article 227 of the Constitution of India, it would not be proper for this Court to appreciate such documents at the first

instance without the same being placed before the learned Trial Court.

3. In such view of the matter, Mr. Ahammed, learned advocate for the petitioner, on instructions from his client, (i.e., the petitioner) who is present in Court today, seeks leave to withdraw the present revisional application with liberty to approach the learned Trial Court and seek variation of the impugned order in accordance with law.
4. Mr. Chatterjee, learned advocate appearing for the opposite party, does not oppose the prayer for withdrawal of the revisional application with the aforesaid liberty.
5. Accordingly, C.O. 4567 of 2025 is dismissed as withdrawn with liberty to the petitioner to approach the learned Trial Court with an appropriate application seeking variation of the order impugned, in accordance with law.
6. Needless to mention that this Court has not gone into the merits of the matter and it shall be open to the learned Trial Court to deal with any such application, if filed, in accordance with law.
7. As prayed for by Mr. Ahammed, the learned Trial Court is requested to dispose of such application expeditiously, if the same is filed, upon giving

appropriate opportunity to the opposite party to file written objection to it.

8. Since the revisional application itself has been withdrawn, CAN 1 of 2026, which has been filed in connection with the said application stands disposed of without any order as to costs.

(Om Narayan Rai, J.)