

02.07.2026
Sl. 19
Amalranjan
Ct.No.-4

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

SAT/6/2022
IA NO: CAN/2/2022

SMT. SHANTI AGARWAL
VS
MANOJ KUMAR AGARWAL AND ORS

Mr. Bikramaditya Ghosh
Ms. Ved Rai
Mr. Hrisav Anirban Ghosh

...for the appellant

Mr. Suresh Kumar Mitruka
Mr. Aayush Mitruka
Mr. Sujit Swami
Mr. Saurav Jaiswal

...for the respondents

1. Learned counsel appearing on behalf of the appellant in his usual fairness submits that First Miscellaneous Appeal would lie against the impugned judgment and order dated 23rd August, 2021 passed by the learned Additional District Judge, 1st Court at Siliguri in Title Appeal No. 03(3) of 2015. Accordingly, he prays for withdrawal of this Second Appeal with liberty to file First Miscellaneous Appeal before the appropriate forum.
2. The prayer is innocuous.

3. Accordingly, the Appeal being **SAT/6/2022** is **dismissed as withdrawn** without any order as to costs.
4. Consequently, the connected application being **CAN/2/2022** is, thus, disposed of.
5. The concerned department is directed to hand over the original certified copy to the advocate on record for the appellant by keeping the photostat copy of the same with the record.
6. Interim order, if any, stands vacated.
7. All parties shall act in terms of the copy of this order duly downloaded from the official website of this Court.
8. Urgent certified photocopy of this order, if applied for, be supplied to the parties taking all legal and necessary formalities.

(Ajay Kumar Gupta, J.)