

T.S – 583/2022

Order No. 08

Dated 31/03/2023:

The plaintiff filed a put up petition U/O 23 Rule 1 of C.P.C. for withdrawal of the instant suit. The Ld. Advocate for the plaintiff is present. The representative of the plaintiffs namely Mujibar Rahman Mullick is examined-in-chief and cross examined as P.W-1 and the said witness is discharged. Perused the said petition, the evidence of the plaintiff, heard and considered.

It becomes evident from the said petition and as well as the evidence of the plaintiff that the plaintiff has amicably settled all his disputes in respect of the suit property with the defendants out of court and as such wants to withdraw the instant suit without any leave to sue afresh regarding the same cause of action. Moreover, the defendant has given a 'no objection' in regard to the withdrawal petition. In view of the fact that the plaintiff has resolved his disputes with the defendants in the suit out of Court and does not want to proceed with the suit any further, there stands no legal impediment in allowing the said petition.

Hence, it is,

ORDERED

that the instant petition filed by the plaintiff U/O 23 Rule 1 of C.P.C. for withdrawal of the instant suit without any leave to sue afresh regarding the same cause of action, be and the same do hereby stands allowed. The instant suit stands withdrawn without any leave to sue afresh.

D/A is directed to make a note of the same in the suit register accordingly.

D/C by me

Civil Judge (Jr. Divn.)
3rd Court, Serampore

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