

Misc. Case No.858 of 2021.

Present : Sonia Majumdar, Judge, Bench-VII (WB01128).

Order No.04, dated 25.03.2022

Today is fixed for filing show cause by the petitioner.

Petitioner files one put up petition praying for placing the case record.

The put up petition filed by the petitioner is rejected on due consideration, as date is fixed today for filing show cause by the petitioner.

Petitioner also files show cause petition.

Now, the show cause petition is taken up for hearing.

Heard the Ld. Advocate for the petitioner. Perused the petition. Considered.

Cause shown by the petitioner is sufficient and accordingly, the show cause be accepted.

Ld. Advocate for the petitioner also files another petition supported by Affidavit, praying for dismissing the case for non-prosecution, and as such, the petitioner does not wish to proceed with the instant case any more.

Heard the Ld. Advocate for the Petitioner. Perused. Considered.

Considering the contents of the petition, including the materials on record, I am inclined to allow the prayer of the petitioner.

Hence, it is,

ORDERED

that the application for dismissing the suit for non-prosecution filed by the petitioner on this day is allowed. Accordingly, the instant case is hereby **dismissed for non-prosecution**. Of course, leave is not granted to the petitioner to file any fresh suit on the self-same ground against the O.Ps.

It is hereby also directed to release the Ld. Receiver, namely, Pravakar Jana from this case, appointed by this Court, vide Order No.02, dated 23.06.2021.

The case is thus disposed of.

Dictated & corrected by me,
Sd/-

Judge.

Sd/- Sonia Majumdar
Judge, Bench-VII,
City Civil Court, Calcutta.