

Misc Appeal No. 03/2024
CNR No. WBCB01-000641-2024

Present : Sri M. Pal, A.D.J., Fast Track Court, Cooch Behar

Order No. 25

Dated 18.06.2026

Today is fixed for hearing of petition to withdraw this Misc Appeal and order.

Both parties are present by filing hazira.

Appellant/Petitioner, Rina Paul has filed a petition under Or. 23, R. 1 read with Sec. 151 of the C.P. Code, praying for permission to withdraw the present suit being supported by affidavit.

Copy served. Objection raised.

Appellant/Petitioner is examined as PW1. She is cross-examined and discharged.

PW1 Rina Paul inter alia deposed that she filed this petition to withdraw this Misc Appeal on behalf of and with consent of all the five Appellants namely Mina Paul, Ruma Paul, Dwijen Paul, Ashish Paul and Ashim Paul.

Heard both sides. Considered materials on record. This court does not find anything on record to hold that Appellant/Petitioner Rina Paul has filed this petition under any compulsion or force or fraud or undue influence and this Court does not find anything to disbelieve her testimony.

Hence,

it is,

O R D E R E D,

That the petition for withdrawal of this Misc Appeal being No. 03 of 2024 is allowed but, without any liberty to sue afresh on selfsame cause of action and also without any order as to costs.

The Misc Appeal being No. 03 of 2024 stand dismissed being withdrawn.

Note in the relevant Register.

Parties are at liberty to act upon server copy of this order.

Typed by me.

Addl.Dist.Judge,
F.T.C.,
CoochBehar.

Additional District Judge,
Fast Track Court,
CoochBehar.
J.O. Code: WB00925