

T.S. 505 of 2024 (CNR WBCC01-002464-2024)
Present: Smt Sonia Majumdar, Judge, Bench-II. (WB01128)

Order No. 22
Dated : 28.07.2026

Today is fixed for hearing the application u/O 39 Rule 7 of the CPC filed by the plaintiff dated 02.04.2024.

Plaintiff files hazira along with a petition, praying for extension of the ad-interim order of injunction. Let it be kept with the record.

Defendant No.1 files hazira.

Today, the plaintiff files an application under Order 23 Rule 1 of the CPC, praying for dismissal of the instant suit for non-prosecution.

Ld. Advocates for both sides are present.

The said application u/O 23 Rule 1 of the CPC filed today by the plaintiff for dismissal of the suit for non-prosecution is taken up for hearing.

Prasanta Dhar, sole plaintiff has deposed before this Court as PW 1 and he has been examined in full and discharged.

Ld. Advocate for the plaintiff submits before this Court that the plaintiff does not want to proceed with the instant suit as the matter has been amicably settled between the parties out of Court and as such, the plaintiff prays for dismissal of the instant suit for non-prosecution.

Ld. Advocate for the defendants does not raise any objection.

Heard. Perused the application as well as the record and deposition. Considered.

Considering the same, I am inclined to allow the said application.

Hence, it is

ORDERED

that the application u/O 23 Rule 1 of the CPC filed by the plaintiff in T.S. No. 505 of 2024 is allowed. Accordingly, T.S. No. 505 of 2024 be and the same is dismissed for non-prosecution.

The ad-interim order of injunction, if any, is vacated.

D/C by me

Sd/-
Judge

Sd/-
Judge 2nd Bench,
City Civil Court, Calcutta.