

Mat Suit – 201/2021

CIS - 195/2021

CNR No.WBHG05 000391 2021

Present : Mr. Nayyar Azam Khan  
Additional District Judge, 2<sup>nd</sup> Court,  
Serampore, Hooghly,  
J.O. Code No. WB01302.

Order No. 25 dated 13.8.2025

Today is fixed for evidence.

Both sides file hazira.

Ld. Advocate for the petitioner files an application under Order 23 Rule 1 read with Section 151 of CPC along with affidavit praying for withdrawal of the instant suit on the ground stated therein.

The filed petition is now taken up for hearing and order.

Ld. Advocate for the petitioner while moving the said petition submitted that the petitioner intends to withdraw this suit as he does not want to proceed with this instant suit any further. He prayed for issuance of order for dismissal of this suit on withdrawal.

Ld. Advocate for the respondent raised strong objection.

Heard both the sides. Perused the record and petition. Considered.

The petitioner is present today and now is examined on dock. He stated the self-same facts as mentioned in his withdrawal petition filed on this day. He also stated that he is under no physical or mental pressure at the time of filing of this withdrawal petition. It appears from the petition filed today on behalf of the petitioner that the petitioner does not want to proceed with the instant suit any further and so he wants to withdraw this suit. The instant suit has been filed on 02.3.21 and the respondent has appeared in this suit for contest on 21.12.21 and has been contesting this suit for more than 3 years. **As there is no impediment in such withdrawal, the prayer of the petitioner is hereby allowed, but subject to payment of costs of Rs. 3000/- which must be paid by the petitioner to the respondent on or by the next date fixed in this case.**

To 24.9.2025 for payment of costs and further order.

Dict. & corr. By me.

Sd/-  
Addl. District Judge, 2<sup>nd</sup> Court,  
Serampore, Hooghly.

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