

**HIGH COURT OF TRIPURA
AGARTALA**

CRP No.60/2018

Smti. Moutushi Das

.....Petitioner(s)

Versus

Sri Naru Gopal Das and others

.....Respondent(s)

For Petitioner(s) : Mr. R.G. Chakraborty, Advocate.

For Respondent(s) : Mr. S. Lodh, Advocate.

HON'BLE THE CHIEF JUSTICE MR. SANJAY KAROL

Order

29/03/2019.

Petitioner has prayed for the following reliefs:

“(a) Admit this revision petition;

(b) Call for the record of Title Suit No.96 of 2015 from the file of Learned Civil Judge (Senior Division), Court No.1, (Mr. Manabendra Debbarma), West Tripura, Agartala and any other record as may be found relevant;

(c) issue notice upon the Respondents;

(d) and after hearing the parties, be pleased to pass appropriate order setting aside the impugned order dated 13.06.2018 passed by the Learned Civil Judge (Senior Division), Court No.1, West Tripura, Agartala, in Title Suit No.96 of 2015 and be pleased to interfere with the impugned order dated 13.06.2018 and be pleased to grant leave to the Petitioner to deliver the proposed interrogatories to the Respondent No.1 and be pleased to pass further order/direction as may be deemed fit and proper;

(e) in the interim be pleased to pass appropriate order staying further proceeding of Title Suit No.96 of 2015 pending in the Court of the Learned Civil Judge (Senior Division), Court No.1, West Tripura, Agartala till disposal of the instant revision petition;

(f) and be pleased to pass any other order/direction as may be deemed fit and proper.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to the petitioner to file another appropriate application seeking interrogatories, at a subsequent stage, if so required.

Mr. S. Lodh, learned counsel for the respondents pointing out the conduct of the petitioner/plaintiff, objects to the same.

It is seen that while not pressing the present petition, petitioner need not seek any liberty for the impugned order dated 13.06.2018 passed by the learned Civil Judge (Senior Division), Court No.1, West Tripura, Agartala in Title Suit No.96 of 2015 titled as *Smti. Moutushi Das vs. Sri Naru Gopal Das & others* dismissing the petitioner's application seeking interrogatories is self speaking and working.

The trial Court has allowed the petitioner to file an application at a subsequent stage for according to the Court, the stage in filing such application was not appropriate.

As such, the petitioner is committed to withdraw the present petition in terms of the liberty already granted by the trial Court.

The petition stands disposed of.

Trial Court record be remitted forthwith.

(SANJAY KAROL, CJ)