

(2021) 04 SIK CK 0003

In the Sikkim High Court

Case No : Civil Revision Petition No. 05 Of 2019

Jigmi Phunchok Bhutia

APPELLANT

Vs

Aishwarya Rai & Anr

RESPONDENT

Date of Decision : 03-04-2021

Acts Referred:

Code Of Civil Procedure, 1908 — Order 6 Rule 17
Constitution Of India, 1950 — Article 227

Citation : (2021) 04 SIK CK 0003

Hon'ble Judges : Jitendra Kumar Maheshwari, CJ

Bench : Single Bench

**Advocate : Nilanjan Bhattacharjee, Souri Ghosal, Amresh Kumar Mandal,
Navtara Sarda**

Final Decision : Dismissed

Judgement

Jitendra Kumar Maheshwari, CJ

Placing an objection on the maintainability of the Civil Revision petition arising out of an order rejecting the application under Order 6 Rule 17 of the Code of Civil Procedure, 1908 i.e. amendment in the plaint to which a petition under Article 227 is maintainable, learned Counsel for the petitioner seeks withdrawal of this petition.

Accordingly, it is dismissed as withdrawn with a liberty, as prayed for, to file a Writ Petition under Article 227 of the Constitution of India.

Certified copy of the impugned order be returned back by the Registry to the Counsel for the petitioner on furnishing the photocopy thereof.