

08.09.2020
Item No.16
(Susanta)

(Via Video Conference)

**C.O. 1185 of 2020
with
IA No: CAN 1 of 2020 (old CAN 5946 of 2020)**

**Diamond City North Residents Association
(DCNRA) & Anr.**

Vs.

Pankaj Kumar Garg & Ors.

Mr. Abhishek Sikdar.

... for the petitioners.

Mr. Jaydeep Banerjee.

..... for the O.P nos. 1-3

Mr. Arnab Roy.

..... for the O.P nos. 4-6

The present revisional application under Article 227 of the Constitution of India is at the instance of the defendant in a suit for declaration and is directed against an order passed by the learned Civil Judge (Junior Division) 2nd Court Barasat in the said suit being Title Suit no. 602 of 2019.

The order impugned being appealable under Order XLIII Rule 1(r) of the Code of the Civil Procedure, the revisional application under Article 227 of the Constitution of India is not maintainable.

C.O. 1185 of 2020 is dismissed.

There shall be no order as to cost.

The connected application being CAN 1 of 2020 (old CAN 5946 of 2020) is disposed of accordingly.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)