

08.03.2021
Sl. No. 8
srm

C.O. No. 447 of 2021
Tabasum Ruksana
Vs.
Collector, Uttar Dinajpur

Mr. Partha Sarathi Deb Barman,
Md. M Nazar Chowdhury

...for the Petitioner.

This revisional application has been filed against an order dated March 2, 2020 by which Misc. Case No.11 of 2016 was not admitted as being time barred consequent upon rejection of an application under Section 5 of the Limitation Act.

As the rejection of the application under Section 5 of the Limitation Act resulted in consequential rejection of the Misc. Case, which is an application under Order 9 Rule 9 of the Code of Civil Procedure, the rejection of which is an appealable order, in my opinion, the order impugned is an appealable one under Order 43 Rule 1(c) of the Code of Civil Procedure.

This revisional application is dismissed as not maintainable.

The petitioner is at liberty to approach the appropriate forum in accordance with law upon taking back the certified copy of the order impugned upon furnishing a photocopy thereof.

There will be, however, no order as to costs.

(Shampa Sarkar, J.)