

**PRATAP PROPERTIES LLP VS. OFFICER
SPECIALLY EMPOWERED UNDER SECTION 44(2a) OF
THE WEST BENGAL ESTATE ACQUISITION ACT,
1953, HAVING ITS OFFICE AT TOWN SURVEY UNIT (A
UNIT OF D.L. & L.R.O) 3, KARTICK CHANDRA
DUTTA ROAD, HOWRAH 711 101.**

**Mr. Saptangshu Basu
Mr. Deepak Kumar Jain
..for the petitioner**

This revisional application has been filed by the petitioner challenging an order dated February 24, 2021 passed by the learned Additional District Judge, 2nd Court, Howrah in E.A, Appeal No. 1 of 2018.

Mr. Basu submits that the appeal under Section 44(3) of the West Bengal Estate Acquisition Act, 1953 is pending before the learned Court below upon being transferred by the learned District Judge. It is alleged that the learned court below is not disposing of the point of jurisdiction in spite of an earlier order of this Court.

Having considered the records, this Court is of the opinion that the learned Court below should dispose of the point of jurisdiction which has been heard on several dates within a week from the next date fixed upon hearing the parties. On the basis of the result of the said proceeding, the learned Court below shall proceed further

in accordance with law.

This Court has not gone into the merits of the claims and the learned Court below shall decide the point of jurisdiction to take up the said appeal on the pleadings, laws and decisions that may be supplied by the parties concerned.

This revisional application is disposed of.

The petitioner is directed to serve a copy of the revisional application along with a server copy of this order to the opposite party within a week from date.

There will be however no order as to costs.

Urgent photostat certified copy of this order be given to the parties on priority basis, if the same is applied for.

(Shampa Sarkar,J.)

