

08.12.2021
Court No.8
Item No.24
SB

FMAT 272 of 2021
CAN 1 of 2021(not in file)
CAN 2 of 2021 (not in file)
(via video conference)

Lieutenant Colonel Swaraj Kumar Mukhopadhyay (Retd.)
Vs.
Rupayan Mukherjee & Ors.

Mr. S. N. Mitra For the Appellants

This appeal is not maintainable before this Court in view of Section 21(1)(a) of the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 2000.

Accordingly, the department is directed to return the memorandum of appeal with the original certified copy to the learned advocate so as to enable him to present the same with the appropriate Court, after retaining a Photostat copy of the decree.

The time spent before this Court for choosing the wrong forum may be excluded in the event the appeal is presented within four weeks from date.

Accordingly, the appeal is dismissed for want of jurisdiction.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)