

20.9.
2021

CO 1344 of 2021

Amanul Biswas & Ors.

-vs-

**Abdul Mohit Molla
(Via Video Conference)**

Ms. Manali Biswas

... for the petitioners

The preemptor in an application under Section 8 and 9 of the West Bengal Land Reforms Act has challenged the judgment and order dated March 1, 2021 passed by the learned Civil Judge (Junior Division), Additional Court , Berhampore, Murshidabad whereby the Misc. Preemption case No. P-31 of 2017 was dismissed on contest.

Ms. Biswas, learned advocate appearing for the petitioners submits though the petitioner has filed the application before the learned Trial Judge praying for an order to deposit the balance/short consideration money but learned Civil Judge disposed of the application for preemption by keeping the said application pending.

Since the judgment and order passed under Section 8 of the West Bengal Land Reforms Act on March 1, 2021 is an appealable one, the instant application under Article 227 of the Constitution of India is not entertained.

It has been submitted by Ms. Biswas that the petitioners have already preferred a Miscellaneous Appeal against the aforesaid judgment and order. The petitioners will be at liberty to agitate the points raised in this revisional application in the Miscellaneous

Appeal against the impugned order.

CO 1344 of 2021 is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocate for the parties on usual undertakings.

(**Hiranmay Bhattacharyya, J.**)