

09.03.2021.

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AS

S.A.T. 367 of 2019

Parameswar Pal & Anr.

Vs.

Smriti Rekha Pal & Ors.

Ms. Manali Biswas.

... for the appellants.

Seen the report of the Stamp Reporter put on the reverse side of the first page of the memorandum of appeal.

The instant second appeal has been filed challenging the order of the District Judge, Murshidabad passed in Misc. Appeal No.12 of 2019 which arose from the judgment and order of the learned Civil Judge (Junior Division), First Court, Berhampore, Murshidabad passed on an application under Section 8 of the West Bengal Land Reforms Act, 1955.

The further appeal is not maintainable under Section 9(6) of the said Act. The instant appeal is, therefore, not maintainable.

The learned Advocate appearing for the appellant, however, prays for withdrawal of the appeal so that the self-same judgment and order can be assailed before the proper forum.

In view of the above, the appeal is dismissed as withdrawn.

However, the dismissal of the appeal shall not prevent the appellant from challenging the self-same judgment and order before the proper forum.

The Assistant Court Officer is directed to return the certified copy of the judgment and order annexed to the instant memorandum of appeal to the learned Advocate-on-record of the appeal upon replacing with photocopy thereof.

(Harish Tandon, J.)

(Kausik Chanda, J.)