

27.01.2021
SL No.39
Court No.12
(gc)

**FMAT 1263 of 2019
With
CAN 1 of 2020
(Old No: CAN 548 of 2020)**

**Anarul Sheik
Vs.
Naya Dasi & Ors.**

(Via Video Conference)

Mr. Sumitra Dasgupta,
Md. Hafiz Ali,
...for the Appellant.

Mr. Sumitra Dasgupta, learned Counsel representing the appellant has submitted that the defects have been cured. However, he candidly submits that the appeal may not be maintainable before this Court in view of Section 21(1)(a) of the Bengal, Agra and Assam, Civil Court (W.B. Amendment) Act, 2000.

In view thereof, the appeal and the connected application stand dismissed as not maintainable.

However, the appellant is given liberty to prefer the appeal before the appropriate forum. In the event an appeal is preferred within a period of four weeks from date, the appellant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.

The department is directed to return the certified copy of the impugned order to the learned Advocate-on-record of the appellant upon furnishing a Photostat copy thereof.

(Aniruddha Roy, J.)

(Soumen Sen, J.)