

11.03.2021
SL No.11
Court No.12
(gc)

FMAT 1235 of 2018

**Sri Antareep Mahanti
Vs.
Tamal Kanti Dey**

(Via Video Conference)

Mr. Sankha Subhra Ray,
...for the Appellant.

This appeal was presented beyond time, that is, 6 days. No application for condonation of delay is filed along with the memorandum of appeal.

However, it appears that the appeal is arising out of an order passed by the Civil Judge (Junior Division), 2nd Court at Alipore in a suit valued at Rs.600/-.

We have considered the report filed by the Additional Stamp Reporter. It appears that the appeal is not maintainable under Section 21(1)(a) of the Bengal, Agra and Assam, Civil Court (W.B. Amendment) Act, 2000.

In view thereof, the appeal stands dismissed for want of jurisdiction.

This order, however, shall not prevent the appellant to take appropriate steps in accordance with law. In the event the appeal is presented before the appropriate forum 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.

(Subhasis Dasgupta, J.)

(Soumen Sen, J.)