

08.01.2021
Court No. 19
Item No.23
CP

C.O. 1667 of 2020
Nibedan Pal

vs.

Alo Debnath & ors.

Mr. Purnasish Gupta
Ms. Mary Dutta

....for the petitioner.

Mr. Anirban Bose
Mr. Satyajit Senapati

....for the opposite party/caveator

In this revisional application the petitioner has challenged an order passed by the learned lower appellate court in Misc. Appeal No. 50 of 2018. Misc. Appeal No. 50 of 2018 was filed against an order passed rejecting an application under Order 21 Rule 97, 98, 100 and 101 of the Code of Civil Procedure. As per Order 21 Rule 103 of the Code of Civil Procedure, this order impugned in the revisional application amounts to a decree and, as such, a second miscellaneous appeal would lie from the order impugned.

The revisional application is dismissed as not pressed.

Liberty is granted to the petitioner to move the appropriate forum in accordance with law upon taking back the certified copy of both the orders of the learned trial court as also the learned lower appellate court upon furnishing photocopies thereof.

(Shampa Sarkar, J.)