

August 3, 2023
Sl. No.13
Court No.19
s.biswas

CO 2372 of 2023

Nilkanta Sen

vs.

Krishna Kanta Mandal

Mr. Karunamoyee Samanta

... for the petitioner

Mr. Jayanta Mitra

... for the opposite party

The order which has been challenged before the court is an appealable order. The learned court below invoked the provisions of Order 7 Rule 11 of the Code of Civil Procedure and found that the plaint was liable to be rejected.

The learned court below, after going into the averments and the reliefs claimed, suo motu came to the conclusion that the suit was barred under the provision of the West Bengal Panchyat Act, 1973.

The revisional application is not entertained. Liberty is granted to the petitioner to take appropriate steps in accordance with law. Certified copy of the impugned order be returned to the petitioner upon the petitioner furnishing a photocopy thereof.

This court has not gone into the merits of the findings of the learned trial court.

The revisional application is thus disposed of.

All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)