

31 **08.06.
2023**

Ct. No. 04

ab

SMAT 6 of 2022

Syed Riajuddin Ahmed

Vs.

Sk. Jamat Ali.

Mr. Biplab Ranjan Bose.

... for the appellant.

Learned Advocate-on-Record of the appellant submits that due to inadvertence the instant appeal has been filed and prays for withdrawal thereof.

After perusing the judgment it appears that the instant second miscellaneous appeal is filed arising from a proceeding under Section 9 of the West Bengal Land Reforms Act, 1955. No appeal lies against the order passed by the appellate court under Section 9 of the said Act and, therefore, the instant appeal is incompetent.

Accordingly, the appeal is dismissed as 'withdrawn'.

The Assistant Court Officer is directed to return the certified copy of the impugned order to the learned Advocate-on-Record of the appellant upon replacement with photocopy thereof.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

