

11 29.11.23

Ct. No. 04

akd

F.M.A.T. 430 of 2023
CAN 1 of 2023

Pralay Kumar Chowdhury
Vs.
Sri Prachya Chowdhury & Ors.

Mr. Satyendra Agarwal,
Mr. Gautam Malik.
... for the appellant.

Seen the office report. Stamp Reporter has pointed out as to whether the instant appeal is maintainable before this Court in view of the reliefs valued by the appellant in the suit. It appears that the suit is valued at Rs.1,20,200/- and was filed before the learned Civil Judge (Senior Division) exercising the original jurisdiction.

In view of the provisions contained under Section 21(1)(a) of the Bengal, Agra and Assam Civil Courts Act, the instant appeal is not maintainable before this Court.

The appeal is thus dismissed as not maintainable.

However the dismissal of the instant appeal shall not prevent the appellant to assail the self-same order before the appropriate forum in accordance with law.

Let the certified copy of the impugned judgement be returned to the learned Advocate on record of the appellant by the Assistant Court Officer upon replacement with photocopy thereof.

(Harish Tandon, J.)

(Madhuresh Prasad, J.)

