

24.04.2023
KC(6)

F.M.A.T. 436 of 2022
A.C.M.E. Estates Private Limited and Anr.
-versus-
Dewanti Rai and Ors.
With
CAN 1 of 2022

Mr. Aniruddha Chatterjee,
Mr. Sib Sankar Das.....For the appellants.

Mr. Debdutta Basu,
Mr. Nikhil Kumar Gupta.....For the respondent
no. 1.

Mr. Sunny Nandy,
Ms. Sneha Singh.....For the respondent
no. 5.

On the submission of Mr. Debdutta Basu, learned advocate for the respondent no. 1 that the suit being valued at Rs. 60,300/-, the appeal is not maintainable in this court under Section 21(1)(a) of the Bengal, Agra and Assam Civil Courts Act, 1887 read with its 2000 amendment, Mr. Aniruddha Chatterjee, learned advocate for the appellants concedes the point.

We also note that the stamp reporter has made a similar note.

In that view of the matter, we allow the advocate-on-record for the appellants to take back the memorandum of appeal from the department after furnishing a photocopy of the same to the department to be retained in its records. Such exercise should be done within ten days from date.

In the records of this court it should be shown that the appeal (F.M.A.T. 436 of 2022) and the connected application (CAN 1 of 2022) are disposed of by return of the memorandum of appeal.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)