

07 **22.12.
2023**

Ct. No. 04

Sayandeep

**FMAT 567 of 2023
IA No. CAN 1 of 2023**

**SREI Infrastructure Finance Limited
Vs.
Varaha Infra Limited and another.**

Mr. Biswaroop Ghosh.

... for the appellant.

Seen the report of the Stamp Reporter. It is indicated that the appeal against the impugned order does not lie in the High Court in view of the provisions contained under Section 21(1)(a) of the Bengal, Agra and Assam Civil Courts Act.

In view of the above, the appeal is dismissed as 'not maintainable'.

The dismissal of the instant appeal shall not prevent the appellant to challenge the selfsame order before the appropriate forum.

In view of the dismissal of the appeal itself, the connected application being CAN 1 of 2023 has become infructuous and the same is also dismissed.

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.)

(Madhuresh Prasad, J.)

