

02.4.2024
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Ct. no. 652
sb

CO 616 of 2020

Shantanu Banerjee
Vs.
State Bank of India, Harit Branch & Ors.

Parties are not represented.

This application has been preferred against an order rejecting plaint under Order VII Rule 11 of the Code of Civil Procedure. Since such order passed by the court below, is considered to be a “decree” by legal interpretation and making it appealable under Section 96 read with Order XLI of the Code of Civil Procedure and since petitioner had alternative efficacious remedy, the present application is held to be not maintainable.

C.O. 616 of 2020 is accordingly dismissed as being not maintainable.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Ajoy Kumar Mukherjee, J.)