

12.06.2024
Item No.51, DL
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 845 of 2024

**Sri Somendra Narayan Mukherjee alias
Sri Somendra Narayan Mukhopadhyay
-Vs-
Smt. Tanushree Gahlod nee Mukherjee**

Mr. Saptangshu Basu, Senior Advocate,
Mr. Triptimoy Talukder,
Ms. Shyamalima Sarkar,
Mr. Abhiraj Tarafdar.

.....for the petitioner.

Mr. Avirup Mondal,
Mr. Soumalya Ganguli.

.....for the opposite party.

The 8th Court of the learned Additional District Judge, Barasat, District : 24-Parganas (North) by the order impugned dated January 20, 2024 has allowed an application under Section 9(3) of the Guardian and Wards Act, 1890 thereby has returned the application filed by the petitioner under Section 25 the said Act of 1890.

The order impugned is appealable under Section 47(b) of the said Act, 1890, as such, the instant application under Article 227 of the Constitution of India assailing the said order is not maintainable.

C.O. 845 of 2024 is dismissed as not maintainable, there shall however be no order as to costs.

It is made clear that this order will not prevent the petitioner to challenge the order impugned in accordance with law.

Liberty is granted to the learned Advocate-on-Record for the petitioner to take back the certified copy of the impugned order upon furnishing a photocopy thereof.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)