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July 24
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Ct. 19
01.08.2024

*In The High Court At Calcutta
Civil Revisional Jurisdiction
(Appellate Side)*

C.O. No. 1608 of 2024

**Hemant Kumar Mishra & Anr.
Vs.
Rajesh Dutta & Ors.**

Mr. Rabindranath Mahato,
Mr. Aritra Sankar Ray ... For the petitioners.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The pre-emptors in a proceeding under Sections 8 and 9 of the West Bengal Land Reforms Act, 1955 are the petitioners of the instant application under Article 227 of the Constitution of India.

The petitioners are alleging that the records of the pre-emption proceeding registered as Misc. Case No. 37 of 2018 pending before the 6th Court of learned Civil Judge, (Junior Division) at Alipore, District – 24 Parganas (South), are not traceable.

The petitioners are praying leave to file an application for reconstruction of the said records.

The petitioners are granted liberty to file such application and if the said application is filed, the

learned Trial Judge shall decide the same in accordance with law.

C.O. 1608 of 2024 is disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)