

M/L 27
02.9.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2020 of 2024

Smt. Minati Mondal

Vs.

Dilip Baruai & Anr.

Mr. Anjan Banerjee

Ms. Reshmi Khatun

...for the Petitioner.

The pre-emptee in a proceeding under Sections 8 and 9 of the West Bengal Land Reforms Act, 1955 is the petitioner of the instant application under Article 227 of the Constitution of India which is directed against the judgment and order dated March 21, 2024 passed by the 1st Court of learned Additional District Judge, Krishnagar, District: Nadia in *Misc. Appeal No.1 of 2017*.

The 1st Court of learned Civil Judge (Junior Division) at Krishnagar, District: Nadia by the judgment and order dated November 30, 2016 had dismissed the application for pre-emption being *Misc. Pre-emption Case No.12 of 2013*.

The appeal court below, to decide the issue whether the pre-emptor was a co-sharer at the time of filing of the application, has remanded the pre-emption case to the learned Trial Judge. The parties were given liberty to adduce further evidence.

In view of the nature of the order impugned, this Court is not inclined to interfere with it.

However, the learned Trial Judge is requested to expedite the disposal of the pre-emption case.

CO 2020 of 2024 is disposed of without any order as to costs.

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 upon compliance with all requisite formalities.

(Biswajit Basu, J.)