

20.09.2024
Item No.25 DL
Ct.19
A.J.

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

C.O. 3349 of 2024

Sri Atanu Kar & Anr.

-Vs-

Sri Sujit Kumar Kar & Anr.

Mr. Sugata Mukhopadhyay,
Mr. Tanmoy Khan.
.....for the petitioners.

Mr. Kartik Kumar Bhattacharya,
Mr. Soumita Shaw.
.....for the opposite parties.

The preemptors in a proceeding under Section 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 application for preemption registered as L.R. Misc. Case No. 10 of 2018 was dismissed by the 7th Court of the learned Civil Judge (Junior Division), Howrah for the failure of the petitioners to deposit the entire consideration price along with the application.

The Appeal Court below by the impugned judgment and order dated July 08, 2024 has affirmed the said order of the learned Trial Judge.

In view of the judgment of the Hon'ble Supreme Court in the case of *BARASAT EYE HOSPITAL vs. KAUSTABH MONDAL* reported in (2019) 10 SCC 660, the order impugned does not call for any interference.

C.O. 3349 of 2024 is dismissed without any order as to costs.

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.)