

17     25.01.24

Ct. No. 04

akd

F.A.T. 277 of 2022

CAN 1 of 2022

CAN 2 of 2022

**Gautam Sur**  
**Vs.**  
**Rekha Rani Sur & Anr.**  
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**Mr. Amal Krishna Saha.**  
**... for the appellant.**

Leave is granted to correct the valuation statement here and now.

It appears that the instant appeal arises from an order allowing a counter-claim, which was valued at Rs.100/-. In view of the provisions contained under Section 21(1)(a) of the Bengal, Agra and Assam Civil Courts Act, 1887 the instant appeal is not maintainable before this Court.

The appeal is thus dismissed as not maintainable.

However, the dismissal of the appeal shall not prevent the appellant to challenge the self-same judgement and decree before the appropriate Court.

Let the certified copy of the impugned judgement and decree be returned to the learned Advocate on record of the appellant by the Assistant Court Officer upon replacement with photocopy thereof.

In view of dismissal of the appeal the connected applications are also dismissed.

**(Harish Tandon, J.)**

**(Madhuresh Prasad, J.)**

