

16.06.2025
Court No.25
Item No.24
sudipta

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

C.O. 3515 of 2022

**Barun Chandra Roy & Anr.
Vs.
Ranjit Kumar Nandy & Ors.**

Mr. Debabrata Sardar

...for the petitioners

Mr. Salil Kr. Sarkar

Mr. Surajit Dutta

...for the opposite parties

1. The petition has been filed for restoration.
2. Learned counsel for the opposite parties states that he has no objection for restoration of the petition to its original number.
3. The petition is restored to its original number.
4. Learned counsel for the opposite parties submits that in fact the present petitions is not maintainable as the petitioner challenged the order no. 31 dated 9th November, 2022 passed by the learned Civil Judge (Sr. Divn.), Uluberia, Howrah, by way of revision before this Court whereas in view of Section 21 of the Bengal, Agra and Assam Civil Courts Act, 1887, the appeal should have filed before the District Judge. Learned counsel,

therefore, submits that revision is not maintainable.

5. Learned counsel for the petitioner has fairly submitted that value of the suit was Rs.200/-. Learned counsel submits that he may be allowed to withdraw the petition with liberty to file the appeal in accordance with Section 21 of the Bengal, Agra and Assam Civil Courts Act, 1887.
6. The petition is disposed of as withdrawn.
7. Liberty is granted.
8. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)