

Court No. 6
(265719)

24.04.2025
(AD 13)
(S. Banerjee)

CO 1353 of 2025

Shri Uttam Sarkar
Vs.
Dhananjay Roy

Mr. Saheb Banerjee

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the opposite party in a preemption application and is directed against order no. 12 dated January 17, 2025 passed by the learned Civil Judge (Jr. Division) 2nd Court at Bankura in J. Misc. (Pre) No. 10 of 2024. By the order impugned the petitioner herein was directed to file reply to the show-cause.

The learned advocate appearing for the petitioner submits that the suit property is a refugee property and, therefore, the application under Section 8 of the West Bengal Land Reforms Act is not maintainable.

However, from the order impugned this Court finds that since the petitioner was not present in spite of repeated calls on January 17, 2025, the petitioner herein was directed to give reply to the show-cause.

For such reason this Court does not find any infirmity in the order impugned.

It will be open to the petitioner to reply to the show-cause as directed by the order impugned. If such reply to the show-cause is filed, the learned trial Judge shall consider the same and pass its order accordingly.

With the above observations and directions CO 1353 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)