

24
18.9.2025
Ct. No. 1
SB

FMA 1138 of 2025
CAN 1 of 2025 (stay)

Sri Chaturbhuj Kar
Vs.
Sanoj Kumar Thakur & Anr.

Mr. Sourjya Ganguly for the appellant

1. Without prejudice to the rights and contentions of the appellant that the Trial Court may not have the jurisdiction either to entertain the application for receive and decide under Section 13 (2) of the Provincial Insolvency Act, 1920, the appellant is given liberty to file an application for recalling and / or modification or setting aside the order dated 17.4.2025 before the learned Trial Court.
2. We make it clear that we have not gone into the merits of this case and in the event any such application is filed, we request the learned Trial Court to decide the said application as expeditiously as possible upon prior service of notice to the respondents.

[Soumen Sen, C.J. (Acting)]

(Raja Basu Chowdhury, J)