

Item No.- 75
08.01.2025
Rohan
Court No. 8

**In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side**

**FMAT 552 OF 2023
with
I.A. No.: CAN 1 of 2023**

**Ashtek Conclave Private Limited
Versus
Chandranath Banerjee**

**Ms. Deepti Priya,
Mr. Dipayan Das**

... for the Appellant

1. The instant appeal is filed challenging the order dated 4th July, 2023 passed in Title Suit No. 5 of 2023, wherein, the relief was valued at Rs. 61,100/-. In view of Section 21 of the Bengal, Agra and Assam Civil Courts Act, 1887, the appeal would lie before the District Judge and not before the High Court.
2. The appeal is dismissed as not maintainable, however, the dismissal of the appeal shall not prevent the appellant to challenge the self-same order before the appropriate forum in accordance with law.
3. Let the certified copy of the impugned order be returned by the A.C.O. to the Advocate-on-Record of the appellant upon replacement with the photocopy thereof.

(HARISH TANDON, J)

(PRASENJIT BISWAS, J)