

D/L.38.
June 11, 2025.
MNS.

FAT No. 400 of 2024
+
CAN 1 of 2025

Sri Rahul Agarwal, represented by his father,
Arun Kumar Agarwal
Vs.
D. Bhaskar and others

Mrs. Chandrani Bhattacharya

... for the appellant.

Mr. Rabindranath Mahato,
Mr. A. S. Ray

...for the respondent nos. 1,2,4,5,8 and 9.

Ms. Baisali Ghoshal

...for the respondent no. 6.

Mr. Subhadip Paramanik,
Mr. Arun Shaw

...for the respondent nos. 11 & 12.

Ms. Manisha Mondal,
Mr. Sourav Pal

...for the respondent no. 15.

1. Affidavit-of-service filed in Court today be kept on record.
2. It is pointed out by learned counsel for the respondents that this Court does not have pecuniary jurisdiction to take up the appeal, which has been valued as per the plaint at Rs.100/-.
3. We agree with such contention and hold that this Court does not have pecuniary jurisdiction to entertain the appeal against the impugned

judgment and decree passed by the learned Civil Judge (Junior Division), Second Court, Sadar, District: Paschim Medinipur.

4. Accordingly, FAT No. 400 of 2024 and the connected application are dismissed as not maintainable due to lack of pecuniary jurisdiction, with liberty to the appellant to prefer an appropriate appeal before the Court having pecuniary jurisdiction to take up the appeal.
5. The period spent during pendency of the present appeal may be considered by the learned Appellate Court, if the appeal is presented within a reasonable period from date, for the purpose of ascertaining whether the appeal comes within the ambit of Section 14 of the Limitation Act.
6. Leave is granted to the learned Advocate-on-record for the appellant to take back the certified copies of the judgment and decree of the learned Trial Court, upon furnishing photocopies of the same for the records.
7. There will be no order as to costs.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)