

D/L.86.
April 9, 2026.
MNS.

FMAT No. 119 of 2026
+
CAN 1 of 2026
+
CAN 2 of 2026
+
CAN 3 of 2026

Swastika Guha and others
Vs.
Nirmal Kumar Sen and another

Mr. Anirban Roy, Adv.

... for the appellants.

1. We find at the outset that the appeal is not maintainable before this Court, since it is the concerned District Court which has the pecuniary jurisdiction to entertain the appeal in terms of the valuation of the suit.
2. Accordingly, the condonation application is redundant.
3. Hence, CAN 2 of 2026 is disposed of by holding that the appeal itself is not maintainable before this Court.
4. Consequentially, the appeal, bearing FMAT No. 119 of 2026, as well the interlocutory applications, bearing CAN 1 of 2026 and CAN 3 of 2026, are also disposed of with liberty to the appellants to prefer an appeal against the impugned order before the appropriate court having jurisdiction.
5. The learned Advocate-on-record for the appellants is granted leave to take back the certified copy of the

impugned order from the Department upon furnishing a photocopy thereof for the records.

(Biswaroop Chowdhury, J.) (Sabyasachi Bhattacharyya, J.)