

D/L.33.
May 7, 2026.
MNS.

FA No. 447 of 2025

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CAN 1 of 2025

Banshi Badan Ghosh and others
Vs.
Namita Ghosh and others

Mr. Sanjib Seth, Adv.

... for the appellants.

Mr. Pradip Kumar Chatterjee, Sr. Adv.,
Mr. Mihir Kundu,
Ms. Maitrayee Chatterjee, Adv.

...for the respondent nos. 1 to 3.

1. At the outset, an objection is taken by learned senior counsel for the plaintiffs/respondents as to the maintainability of the appeal.
2. We find from the impugned judgment that the suit, which was decreed by the impugned judgment, was filed under Section 6 of the Specific Relief Act, 1963. In terms of sub-section (3) of Section 6, no appeal shall lie from any order or decree passed in any suit instituted under the said Section, nor shall any review of any such order or decree be allowed.
3. It is well-settled that in such circumstances an appeal is not maintainable.
4. Accordingly, FA No. 447 of 2025 is dismissed as not maintainable.
5. Consequentially, CAN 1 of 2025 is also dismissed.
6. There will be no order as to costs.

7. Liberty is given to the learned Advocate-on-record for the appellants to take back the certified copy of the impugned judgment upon furnishing a photocopy thereof for the records.

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