

In the Court of Additional District & Sessions Judge,
2nd Court, Sealdah, South 24 Parganas
Misc. Appeal 43 of 2023
CIS Registration no.44 of 2023
Present: Sri Abir Chatterjee, Additional Dist. & Sess. Judge.
JO-UID WB00833

Order 6
29.02.2024

Parties file hazira.

Case record is taken up for hearing the petition under section 151 of CPC.

Heard both sides.

It appears that respondents seeks a security from the appellant with a liberty to withdraw the security if he succeeds in the appeal.

Heard both sides.

Appeal in the instant case is a statutory right. Submitting security as a condition for admission of the appeal or proceeding with the appeal is unheard and against the statutory scheme.

Question of security would have arose if a stay order against execution was sought or injunction was asked for. This is not the case here.

Hence the present application is found to be without merit and hence rejected.

To **26.04.2024** for hearing of the appeal.

LCR be called for.

Dict. & Corr. by me,

Sd/-
Addl. Dist. & Sess. Judge, 2nd Court,
Sealdah.

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Sealdah.