

17.06.2022
(D/L-74)
Ct.-18
(Susanta)

SA 110 of 2018

Sri Hemanta Kumar Prasad

-Vs-

Sri Sri Lakshmi Narayan Jew represented
by its Sebait namely Sri Swapan Kumar Das & Anr.

Mr. Aniruddha Chatterjee,

Mr. Abirlal Cakraborty,

Mr. Debabrata Roy,

.... For the Appellants.

Mr. Tarak Nath Halder

.... For the respondents.

The learned counsel for the appellant besides the formulated substantial question of law, put the sustainability of the appellate decree under question on the ground of its perversity as such formulation of the following additional substantial question of law is felt necessary:-

Whether the finding of the appeal Court below that the plaintiffs reasonably require the suit property for their own use and occupation is based on evidence-on-record or contrary to it?

To answer the aforesaid substantial question of law, the scrutiny of Lower Court Records is necessary but the same is not available as it was not called for as such the said Lower Court record be called for by a Special Messenger at the costs of the respondents to be put in by Monday (20.06.2022).

The department on receipt of said costs shall take immediate steps for bringing the said Records to this Court on or before the adjourned date.

List the appeal on July 29, 2022 for further hearing.

(Biswajit Basu, J.)