

M/L 109
01.8.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 1911 of 2024

Sri Swapan Bhuniya

Vs.

Sri Sunil Kumar Bhuniya

Mr. Amit Baran Dash

Ms. Ankana Sarkar

...for the Petitioner.

The learned Trial Judge *prima facie* has acted with material irregularity in allowing the preemptor to reduce the valuation of the application for pre-emption since to exercise the right of preemption, the preemptor is obliged to deposit the set-forth value of the impugned deed and 10% of such value with the application for preemption.

The revisional application, therefore, requires further consideration upon notice.

The petitioner is directed to send a copy of the revisional application along with a notice communicating this order to the opposite party by Speed Post with Acknowledgement Due intimating that the matter will come up in the **combined monthly list of November, 2024.**

Similar notice be given to the learned advocate representing the opposite party in the Court below.

The petitioner to file affidavit-of-service on the next date of hearing.

There shall be stay of all further proceedings of *Misc. Appeal No.50 of 2018* pending before the 1st Court of learned Additional District Judge, Tamluk, Purba Medinipore **till the end of the month of November 2024** or until further order(s), whichever is earlier.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)