

AD -17
Ct No.16
06.04.2026
(SSS)

SA 94 of 2025

Sri Amal Kumar Batul and Ors.
Vs.
Sri Bimal Samanta and Ors.

Mr. Probal Kumar Mukherjee, Snr. Adv.,
Mr. Subir Sabud,
Ms. Tina Biswas, Advs.
.....For the appellants.

1. The present second appeal will be heard on the following substantial question of law:-

Whether both the Trial Court as well as the First Appellate Court substantially erred in law in failing to adjudicate upon the specific objection raised by the defendants/appellants as to the suit for partition being bad for partial partition, in the teeth of the averments made in the written statement with regard to the same as well as the evidence led by some of the defendants' witnesses in support of such case.

2. The appellants shall put in due requisites, postal costs and written up notice form for service of notice of the appeal on the respondents within a fortnight from date.

3. The trial court records shall be brought by special messenger at the cost of the appellants, also to be deposited within a fortnight.

4. The appellants shall prepare and file the requisite number of informal paper books without comparing with the records within six weeks from the date of service of notice of arrival of the trial court records on the learned Advocate for the appellants.

5. Liberty to mention the appeal for enlistment before the appropriate learned Single Judge having determination at the relevant point of time after the appeal is ready for hearing.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)