

27.10.2025
Court No.25
Item No.38
sudipta

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.O. 4457 of 2023

**Samyabrata Guha
Vs.
Chairperson, Board of Administrators, North
Barrackpore Municipality & Anr.**

Mr. Debraj Chattacharya
Mr. Subhrajyoti Bhowmick
Mr. Saikat Ghosh

...for the petitioner

Mr. Subhabrata Das
Mr. Mrinal Kanti Das
Mr. Arindam Banerjee

...for the North
Barrackpore Municipality / opposite party no.1

Mr. Supratic Roy
Mr. S. Roy

...for the opposite party
no.2

1. Present petition has been filed challenging the order dated 3rd October, 2023 passed by the learned Civil Judge (Jr. Divn.), 2nd Court, Barrackpore, North 24 Parganas in Municipal Appeal No. 2 of 2022 whereby the learned Trial Court dismissed the appeal filed by the petitioner on the ground of limitation.
2. Learned counsel for the petitioner submits that the learned Trial Court has fallen into an error by relying upon Section 116(b) of the Limitation Act, 1963, whereas the appeal was filed under the Municipal Laws and not under the CPC.

3. Learned counsel for the opposite parties has accepted the notice.
4. Let all the parties file brief written notes of arguments not exceeding three pages along with the judgment which they want to rely upon within two weeks with a copy to the other sides.
5. Let the matter appear on **9th December, 2025** at **2.30 p.m.**

(Dinesh Kumar Sharma, J.)