

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

FAT/2/2026
IA No.CAN/2/2026

Smti Amar Devi

Vs.

Smt Narayan Dei and others

Mr. C. Mano ... for the appellant

Ms. A.S.Zinu ... for the respondent no.2,3,4,5 & 8

April 23, 2026
[SR]
Item No.3

Re: CAN/2/2026 (Restoration)

1. Heard learned counsel appearing for the parties.
2. In view of sufficient explanation for the absence of the appellant on the relevant having been made out, CAN/2/2026 is allowed on contest, thereby recalling the order dated February 25, 2026 and restoring FAT/2/2026 along with CAN/1/2026 to their original file and number.
3. There will be no order as to costs.

Re: FAT/2/2026 & CAN/2/2026

4. At this juncture, it is pointed out that in view of a Larger Bench decision of this Court, the District Judge has paramount pecuniary jurisdiction to take up ordinary first appeals in the Andaman and Nicobar Islands.
5. Accordingly, the condonation application, being CAN/1/2026, is dismissed as not maintainable due to lack of pecuniary jurisdiction. Consequentially, FAT/2/2026 is also dismissed.

6. Liberty is given to the appellant to prefer an appeal on the self-same grounds as taken in the present appeal before the concerned District Court having jurisdiction along with connected application for condonation and/or otherwise if any.

7. It is made clear that merits of the case have not been gone into.

8. There will be no order as to costs.

9. The learned Advocate-on-record for the appellant is granted liberty to take back the certified copies of the impugned judgment and decree upon furnishing photocopies thereof for the records.

(Sabyasachi Bhattacharyya, J.)

(Smita Das De, J.)