

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

FAT/2/2025
IA No: CAN/1/2025, CAN/2/2026

With

FAT/3/2025
IA No: CAN/1/2026, CAN/2/2026

Shri S. Palaniappan

Vs.

Shri Vellaswamy

Mr. Arul Prasanth ... for the petitioner

Mr. K. M. B. Jayapal ... for the respondent

April 21, 2026
[SR]
Item Nos.1 & 2

1. By our earlier order dated April 20, 2026, due to an oversight, we had directed the matters to be released from the list and the file to be sent to the learned District Judge, Andaman and Nicobar Islands. However, in view of this Court not having the pecuniary jurisdiction to take up the appeals, those ought to have been dismissed on such ground with consequential liberties. Accordingly, we recall the order dated April 20, 2026 and pass the following order:

2. Since it is the District Court at Andaman and Nicobar Islands which has pecuniary jurisdiction to hear the appeals, FAT/2/2025 and FAT/3/2025 and the connected applications are dismissed as not maintainable on the ground of lack of pecuniary jurisdiction, with liberty to the appellant in each of the matters to prefer the appeal before the concerned District

Court on the self-same grounds as taken in the present appeals.

3. It is expected that the time spent during the pendency of the appeals before this Court shall be considered under Section 14 of the Limitation Act while entertaining such appeals, as and when filed before the District Court.

4. The learned Advocate-on-record for the appellant in each of the matters is granted leave to take back the certified copies of the impugned judgments and decrees, upon furnishing photocopies thereof for the records, for the purpose of preferring appeals before the jurisdictional Court.

5. Interim orders, if any, stand vacated with liberty to make similar prayers before the concerned District Court.

6. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Smita Das De, J.)