

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

CO/42/2025

Shri. Kadali Sankara Rao Alias K. Sankara Rao

Vs.

Smti. Kadali Shyamala Alias K. Shyamala

Mr. KMB Jayapal

... for the Appellant

July 10, 2025
[SR]
Item No.1

This revisional application has been filed challenging the order dated July 4, 2025, passed by the learned Civil Judge (Senior Division) at Port Blair in Other Suit No. 98 of 2024. By the impugned order, the learned Court has rejected the plaint under Order VII Rule 11(a) of the Code of Civil Procedure, 1908, on the ground of absence of cause of action.

In my view, the said order amounts to a *deemed decree* within the meaning of Section 2(2) of the Code of Civil Procedure, 1908. Accordingly, an appeal lies against such deemed decree.

In view of the above, CO/42/2025 is dismissed.

Liberty is granted to the petitioner to file an appeal against the deemed decree, in accordance with law.

The department is directed to return the certified copy of the order upon the petitioner filing a photocopy thereof.

(**Kausik Chanda, J.**)