

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
CRP No.92 of 2025

1. Rokeya Khatun, wife of Abdul Mannan, aged about 46 years, resident of Paharpur (Barkhala) Dakshin, PO-Jatrapur-799132, P.S.-Jatrapur, District-Sepahijala, Tripura
2. Mafiz Miah, son of Abdul Mannan, aged about 32 years, resident of Paharpur (Barkhala) Dakshin, PO - Jatrapur - 799132, P.S Jatrapur, District-Sepahijala, Tripura
3. Rubel Hossain, son of Abdul Mannan, aged about 28 years, resident of Paharpur (Barkhala) Dakshin, PO-Jatrapur-799132, P.S Jatrapur, District-Sepahijala, Tripura
4. Jowel Hossain, son of Abdul Mannan, aged about 23 years, resident of Paharpur (Barkhala) Dakshin, PO-Jatrapur-799132, P.S Jatrapur, District-Sepahijala, Tripura

-----Petitioner(s)

VS

1. Abdul Mannan, son of Late Tukku Miah, C/o Michil Mia of Sonamura, Gomati River near Godaraghat, P.O-Sonamura-799131, P.S-Sonamura, District-Sepahijala, Tripura
2. Julfu Mia, son of Ali Azzam, resident of South Paharpur, P.O-Jatrapur-799132, P.S-Jatrapur, District-Sepahijala, Tripura
3. Safiqul Islam, son of Ali Azzam, resident of South Paharpur, P.O-Jatrapur-799132, P.S-Jatrapur, District-Sepahijala, Tripura.

-----Respondent(s)

For Petitioner(s) : Mr. Abhijit Sengupta, Adv.

For Respondent(s) : Ms. Saswati Nag, Adv.
Mr. Aditya Baidya, Adv.

HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO

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26/03/2026

Heard both sides.

2. This Revision is filed by the plaintiffs in T.S.No.11 of 2020 challenging the order dt. 03.11.2025 of the Civil Judge (Sr. Division), Court No.1, Sepahijala District, Sonamura.
3. By the said order, the Court below has refused to recall its previous order dt. 11.06.2025 debarring three witnesses of the petitioners for cross examination on the ground that on 11.06.2025, it had already debarred

the said witnesses from being cross examined because 12 dates have been fixed for cross examination of the said witnesses by defendants but the petitioners have not produced three of such witnesses on every such date and they have produced only one witness for cross examination.

4. In the impugned order, the Court below has held that though the petitioners have raised the plea of illness, they have not filed any supporting medical documents and they did not show any sufficient and conducive cause for non-production of those witnesses for cross examination on the earlier dates fixed for the said purpose. It also noted that no reasons were assigned in the petition for the failure of the petitioners for producing the witnesses on 11.06.2025. It also noted that the case was pending since 2020 and it has come under the category of old pending case and the petitioners were not diligent in conducting the case.

5. In my opinion, the Court below had correctly rejected the said request on the part of the petitioners in the impugned order to recall the three witnesses for cross examination by defendants.

6. However, it is not in dispute that previously by a separate order dt. 03.04.2024 the very same Court had ordered that after completion of cross examination of PWs, the Branch Manager, Tripura State Cooperative Bank Ltd., Kathalia Branch should be summoned, whose examination-in-chief had been filed by the plaintiffs on 16.05.2023.

7. This order had not been challenged by the respondents/defendants and it has attained finality.

8. But while passing the order on 03.11.2025 and also previous order on 11.06.2025, the Court below appears to have not noticed its previous order dt. 03.04.2024 permitting the petitioners to summon the

Branch Manager, Tripura State Cooperative Bank Ltd., Kathalia Branch and straightway directed the defendants to give evidence.

9. Therefore, this Revision is allowed partly, though confirming the order dt. 03.11.2025 in all respects, by permitting the petitioners to file requisites to issue summons to the Branch Manager, Tripura State Cooperative Bank Ltd., Kathalia Branch. After the said witness is examined and cross examined, defendants side evidence can be permitted.

Revision Petition is disposed of.

(M.S. RAMACHANDRA RAO, CJ)



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