

Party Name : MALIN DEBBARMA & ORS Vs CHANDAN DEBBARMA & ORS

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THE HONBLE MR JUSTICE U. B. SAHA

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The instant application is filed for staying the further proceeding of Title Suit No. 53 of 2012 pending before the learned Civil Judge (Sr. Divn.) Court No.1, Agartala, West Tripura.

Heard Mr. B. Majumder, learned counsel appearing for the applicant as well as Mr. B. Chakraborty, learned counsel appearing for the respondents.

Mr. Majumder, while urging for stay order would contend that as the revision petition has already been admitted it would be proper for the Court to stay the further proceeding of the aforesaid Title Suit.

On the other hand Mr. Chakraborty, learned counsel appearing for the respondents submits that if any stay order is passed that would affect the rights of the respondents as the suit is at present in the stage of cross-examination.

Considering the entire facts and circumstances particularly that the revision petition has already been admitted , this Court is of considered opinion that if an order of stay is not granted, as prayed for, then the entire revision petition would become infructuous.

Thus, it is ordered that further proceeding of Title Suit No. 53 of 2012 shall remain stayed till the disposal of the CRP 94 of 2014.

With the aforesaid, the instant CM application is disposed of.