

(24)
11.11.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO No. 1861 of 2021

Sri Ashoke Mondal & ors.

-versus-

Sri Durga Prasad Shaw & ors.

Mr. Pratip Mukherjee,
Mr. Amarnath Agarwal,
Mr. Arkadyuti Neogi, ... for the petitioners.

This revisional application is at the instance of the defendants in a suit for eviction. The suit was decreed ex parte and an application for setting aside the said ex parte decree has been taken out by the petitioners which is registered as Misc. Case No. 25 of 2021.

The said misc. case was filed out of time. The learned Trial Judge by the order impugned being order dated August 21, 2021 has refused to pass an order of stay without hearing the other side on the application for condonation of delay.

This Court does not find any illegality and/or infirmity in such approach of the learned Trial Judge warranting interference in the order impugned.

CO 1861 of 2021 is therefore dismissed.

The learned Trial Judge is requested to expedite the disposal of the application for condonation of delay as well as the misc. case.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)