

16.11.2021
(S/L-15)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1879 of 2021
Vistra ITCL (India) Limited
-Vs-
Asha Agarwal & Ors.

Mr. Sayantan Bose,
Ms. Suchismita Gosh
Mr. Anyapurba Banerjee,
.... For the Petitioner.

Mr. R. Banerjee,
Mr. S. Mandal,
Mr. S. Sengupta,
Mr. O. Chatterjee,
Mr. I. Karfa,
Mr. S. Mukherjee,
.... For the Opposite parties.

The order impugned although was passed on an application captioned under Section 151 of the Code of Civil Procedure but the learned Trial Judge in exercise of the power conferred upon him under Order XXXIX Rules 1 & 2 of the Code of Civil Procedure has passed the said order as such the order impugned is open to appeal under Order XLIII Rule 1(r) of the Code.

The revisional application assailing the said order is not maintainable, C.O. 1879 of 2021 is dismissed as such without any order as to costs.

Mr. Sayantan Bose, learned advocate for the petitioner is at liberty to take back the certified copy of the order impugned upon furnishing a photocopy thereof.

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

(Biswajit Basu, J.)