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14.02.2022
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)
CO No. 1108 of 2019

Shri Arun Kumar Singh
-versus-
Samir Das & anr.

Mr. Nilanjan Adhikari,
Ms. Tarunika Pal,
... for the petitioner.

Affidavit of service filed on behalf of the petitioner in Court today be kept with the record.

The plaint of the suit being Title Suit No. 4579 of 2014 filed by the petitioner before the 2nd Court of learned Civil Judge (Junior Division), Serampore, Hooghly was rejected under Order VII Rule 11 of the Code.

The petitioner being aggrieved by the said order preferred the connected Title Appeal No. 367 of 2017.

The said appeal is pending before the 1st Court of learned Additional District Judge at Serampore, District : Hooghly.

The petitioner by the present revisional application is challenging the order no. 16 dated March 11, 2019 passed in the said appeal.

The appeal Court below by the said order fixed a date for hearing of the said appeal along with the application under Order I Rule 10(2) of the Code of Civil Procedure filed by the petitioner.

The appeal Court below by fixing the date of hearing of the appeal and the application thereto has not committed any jurisdictional error warranting interference in the order impugned.

CO 1108 of 2019 is, therefore, dismissed without any order as to costs.

The appeal Court below is however requested to expedite the disposal of the appeal and the connected application.

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.)