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Ct. 18
07.06.2022

C.O. No. 2834 of 2019
I.A. No : CAN 1 of 2020 (Old No : CAN 2223 of 2020)

Debashis Das
Vs.
Sri Krishna Chandra Debnath

Ms. Deblina Lahiri,
Ms. Moumita Sharma ... For the petitioner.

Mr. Tarak Nath Halder,
Mr. Musharraf Alam Sk. ... For the opposite party.

The revisional application under Article 227 of the Constitution of India is at the instance of the defendant in a suit for eviction of licensee and is directed against the Order No. 42 dated February 12, 2019 passed by the learned Civil Judge, (Senior Division) at Kalyani, District – Nadia in Title Suit No. 13 of 2015.

The defendant filed an application praying further cross-examination of P.W. 1 to prove alleged conversation between the plaintiff and the defendant by producing recording of such conversation in C.C. camera.

The learned Trial Judge by the order impugned has dismissed the said application holding that the said witness during his cross-examination has specifically denied that there was any such conversation or recording of such conversation in C.C. camera.

Liberty however was granted to the petitioner to prove the said C.C.T.V footage from his end in accordance with law.

This Court does not find any illegality and/or infirmity in the order impugned warranting interference.

C.O. 2834 of 2019 is disposed of with a direction upon the learned Trial Judge to expedite the disposal of the suit.

There shall be no order as to costs.

In view of the disposal of the revisional application, the application filed by the opposite party for vacating the ad interim order of stay of all further proceedings of the suit being I.A. No : CAN 1 of 2020 (Old No : CAN 2223 of 2020) has become infructuous as such dismissed accordingly without any order as to costs.

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.)