

30.08.2023
Sl. No.5(DL)
srm

C.O. No. 1500 of 2023

Sri Tapas Dasgupta & Anr.

Versus

Smt. Sampa Choudhury & Ors.

Mr. Debabrata Ganguly,
Ms. Debaleena Ganguly,
Ms. Sudeshna Bala Thakur

...for the Petitioners.

Mr. Debjit Mukherjee,
Mr. Kaustav Bhattacharya

...for the Opposite Party No.1.

Upon considering the rival contentions of the parties, this Court is of the view that justice would be sub-served and judicial time will be saved, if the Title Suit No.413 of 2014 and Title Suit No.140 of 2015, which are pending before the learned Civil Judge (Junior Division), 1st Court at Alipore, South 24-Parganas, are heard analogously. The parties are the same. The subject matters of the suits are the same, although the reliefs vary.

However, as the evidence in both the cases can be recorded together and arguments can also be advanced on similar lines, analogous hearing of the two suits would serve the purpose.

The petitioners claim that Title Suit No.140 of 2015 being a later suit, should be stayed. Such prayer was turned down by the learned court below.

As it has been observed hereinbefore, an analogous disposal of both the suits shall enure to the benefit of both the parties, it is directed that the learned court below shall hear and dispose of the two suits analogously.

It is expected that the suits shall proceed expeditiously and the suits shall be disposed of within a year from the date of communication of this order.

The revisional application is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)