

11.7.2023

ct. 236

sk,sl. 32

C.O. 2987 of 2000

Atul Chandra Rana & Ors.-vs-Banmali Rana

None is appearing on behalf of the petitioners.

This revisional application challenges the order dated 8th June, 2000 passed by the learned Civil Judge, (Junior Division), 2nd Court, Tamluk in Title Suit No. 79 of 1997.

The Hon'ble Supreme Court in Robin Thapa Vs Rohit Dora, reported in AIR 2019 S.C.C. 3225 held that:

“8 Ordinarily a litigation is based on adjudication on the merits of the contentions of the parties. Litigation should not be terminated by default, either of the plaintiff or the defendant. The cause of justice does require that as far as possible, adjudication be done on merits”.

I am inclined to take up the application for disposal. By the order impugned learned trial court accepted additional pleadings filed by the plaintiffs/respondents. There is no jurisdictional error committed by learned trial court. This revisional application is bereft of merit and is dismissed.

(Siddhartha Roy Chowdhury, J)