

09.10.2023
Sl. No.17(ML)
srm

C.O. No. 2707 of 2023

Ujjal Chatterjee

Versus

Smt. Madhuri Bandyopadhyay & Anr.

Mr. Ujjal Chatterjee ...Petitioner (in person).

Mr. Sourav Sen,
Mr. Debnath Mahata
...for the Opposite Party No.1.

Mr. Kaushik Modak,
Ms. Mousumi Pal,
Ms. Sunita Kabi
...for the Opposite Party No.2.

Affidavit-of-service is taken on record.

The revisional application is disposed with the following observations:

- (a) The veracity, validity and relevance of the documents filed by the plaintiff No.2 shall be decided at the trial and/or at the time of tendering evidence. The petitioner/defendant No.2 shall be entitled to raise objection at the appropriate stage, as permissible in law.
- (b) If there are other documents which have not been supplied to the petitioner/defendant No.2 and the plaintiff No.2 gets hold of such documents at a later

stage, the same shall be filed and supplied to the petitioner. If the opposite party No.1 seeks to rely on other documents which are neither filed in connection with the plaint nor shown to the defendant No.2, the learned court below shall consider such prayer in accordance with law and the provisions of the Evidence Act and the Code of Civil Procedure. If the plaintiff/opposite party No.1 withholds documents, the law will follow its own course and the learned court shall pass necessary orders at the appropriate stage.

- (c) Finally, the corroborative or the probative value of the documents relied upon by the plaintiff shall be decided at the trial and the petitioner/defendant No.2 will be at liberty to raise all points in accordance with law.

This Court has not gone into the merits of the plaint case.

The revisional application is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)