

12.10.2023
Item No. 42
Ct. No. 7
PG

C.O. 3271 of 2023
Smt. Sikha Das
Vs.
Halim Khan & Ors.

Mr. Ramchandra Guchchait
.....for the petitioner

This application is directed against an order no. 39 dated 8th August, 2023 passed by the learned Civil Judge (Junior Division), 1st Court at Uluberia in Title Suit No. 214 of 2014. By the order impugned, the application filed by the petitioner before the learned trial Judge for analogous hearing of the suit along with Title Suit No. 214 of 2014 was rejected.

The learned trial Judge after going through the pleadings of the Title Suit No. 188 of 2014 and Title Suit No. 214 of 2014 found that the cause of action of the suits are different. The parties are also not same. The learned trial Judge further noted that both the suits are at different stages of hearing.

In view thereof, this Court do not find any infirmity in the order passed by the learned trial Judge. Accordingly, C.O. 3271 of 2023 stands dismissed.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Hiranmay Bhattacharyya, J.)