

December 19, 2023
Sl. No.29
Court No.19
s.biswas

CO 4074 of 2023

Sri Subhamoy Mukherjee

vs.

Sri Jayanta Kumar Dutta and another

Mr. Dilip Kumar Samanta

Mr. Biswapriyo Samanta

Ms. Tithi Paul

... for the petitioner

The revisional application has been filed against an order dated October 6, 2023 passed by the learned Civil Judge (Junior Division), 2nd Court, Paschim Medinipur, Sadar, fixing a date for hearing an application for repair, filed by the plaintiff. The Other Suit No.146 of 2022 has been filed by persons in occupation of the premises in question, for a declaration of tenancy in respect of the property in question. During the pendency of the suit, an application for repair has been filed, which has been fixed for hearing.

In my opinion, no prejudice has been caused to the defendant. The defendant is at liberty to file written objection to the said application for repair and the learned court shall decide the same on merits.

The revisional application is dismissed.

There shall be no order as to costs.

All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)

