

10.06.2024
Item No.07, ML
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 255 of 2024

Mira Gupta & Ors.

-Vs-

Sri Shiv Shankar Jaiswal & Ors.

Mr. Bratin Kumar Dey,
Ms. Anjana Banerjee.
.....for the petitioners.

Mr. Biswaroop Biswas,
Ms. Atreyee De (Ganguly).
.....for the opposite parties.

Affidavit of service filed on behalf of the
petitioners be kept with the record.

The Additional Court of the learned Civil
Judge (Junior Division) at Sealdah, District : 24-
Parganas (South) is hearing the Ejectment Suit No.
21 of 2004 and the Ejectment Suit No. 22 of 2004
analogously.

The learned Trial Judge by the order dated
August 16, 2023 had closed the evidence of D.W. 3
and by the order impugned dated December 19,
2023 has dismissed an application filed by the
petitioners for recalling of the said order.

It appears from the record that the cross-
examination of the D.W. 3 was deferred repeatedly
with an attempt to delay the disposal of the suit,
therefore the learned Trial Judge had rightly closed
the evidence of the witness no.3 of the defendants
and is fully justified in refusing to recall the order
closing the evidence of the said witness.

C.O. 255 of 2024 is dismissed without any order as to costs.

Disposal of the aforesaid Ejectment Suits be expedited, and in doing so, the learned Trial Judge shall not entertain the prayer of the parties for unnecessary adjournment.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)