

18.06.2024
(M/L-89)
Ct.-19
(Susanta)

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

C.O. 623 of 2024

Tapan Das

-Vs-

Bivakar Bayen & Ors.

Ms. Juin Dutta Chakraborty,

Mr. Bidan Modak,

... For the Petitioner.

The plaintiff in a suit for declaration of title and injunction being Title Suit no. 337 of 2021 pending before the 1st Court of learned Civil Judge (Junior Division), Uluberia, Howrah, is the petitioner of the instant application under Article 227 of the Constitution of India.

The learned Trial Judge by the order impugned has refused to direct the defendants to remove the alleged obstruction to the plaintiff's enjoyment over the suit property for want of sufficient materials.

The plaintiff cannot succeed only on the basis of allegations, as such the order impugned being order no. 28 dated July 27, 2023 passed in Title Suit no. 337 of 2021 does not call for any interference.

C.O. 623 of 2024 is dismissed as such without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

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

(Biswajit Basu, J.)