

May 6, 2024
Sl. No.A 5
Court No.19
s.biswas

CO 751 of 2024

Bedatroyi Bagchi
vs.
Seeradha Pal and others

Mr. Saptangsu Basu, Sr. Adv.
Mr. Aniruddha Chatterjee
Mr. Santosh K. Roy
Mr. Srijib Chakraborty
Mr. Abir Lal Chakraborty
Ms. Antalina Guha

... for the petitioner

1. This court is not inclined to interfere with the order impugned. The learned Additional District Judge, 6th Court at Alipore, South 24 Parganas passed the order dated January 18, 2024, by exercising discretion under Section 151 of the Code of Civil Procedure.
2. By an order dated May 8, 2023, the evidence of DW1 was closed, upon rejection of the prayer for adjournment. An application under Section 151 of the Code of Civil Procedure, for recalling of the said order was allowed.
3. In my opinion, the learned court rightly allowed the evidence of DW1 in view of the fact that the evidence of DW1 was closed upon rejection of the prayer for adjournment. Adjournment was prayed for on the ground of illness. The order impugned does not call for any interference, in view of the reasons assigned by the court.

4. Under such circumstances, the revisional application stands disposed of without any orders. The learned court shall proceed expeditiously with the depositions of the parties. The learned court is requested to conclude the deposition within a reasonable time, preferably within two months from date. Upon conclusion of the witness action, the learned court shall proceed and dispose of the suit expeditiously.
5. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Shampa Sarkar, J.)