

18.07.2024
(D/L-12)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 2501 of 2024

Sri Samir Dey & Ors.

-Vs-

Sri Sankar Dey & Anr.

Mr. Amitabha Ghosh,
Ms. Nabanita Chatterjee,
Ms. Arpita Dhar,

... For the Petitioners.

The instant application under Article 227 of the Constitution of India is at the instance of the plaintiffs in a suit for partition which is directed against the Order No. 15 dated May 09, 2024 passed by the 1st Court of learned Civil Judge (Senior Division), Barasat, District- 24-Parganas (North) in the said suit being Title Suit No. 260 of 2020.

The learned Trial Judge, by the order impugned has exercised his power under Order XVIII Rule 16 of the Code of Civil Procedure to direct immediate recording of evidence of aged and ailing defendant no. 2.

This Court does not find any illegality and/or infirmity in the exercise of such power warranting interference with the order impugned.

C.O. 2501 of 2024 is therefore 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.)