

08.08.2024
Item No.13, DL
Ct.19
A.J.

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

C.O. 2789 of 2024

**Ranjit Sharma
-Vs-
Amiya Chatterjee & Ors.**

Mr. Krishna Das Poddar,
.....for the petitioner.

The petitioner of the instant application under Article 227 of the Constitution of India is the plaintiff in *Title Suit No.1114 of 2013*, a suit for declaration of tenancy right over the suit property whereas some of the opposite parties are the plaintiffs in *Title Suit No.95 of 2014*, a suit for eviction of the petitioner from the said suit property alleging that the petitioner is a licensee under them.

The learned Judge, Bench XI of the City Civil Court at Calcutta is hearing both the suits simultaneously on the same date.

The suit for eviction when has reached to the stage of argument, the petitioner in his suit wanted to cite an Officer of the *Assessment Department* of the Kolkata Municipal Corporation to prove that his grandfather was a recorded tenant in respect of the suit property.

The learned Trial Judge by the order impugned being Order No.82 dated March 06, 2024 has refused to grant such permission

holding *inter alia* that there is no whisper in the plaint of the petitioner's suit that his grandfather was such a recorded tenant.

The prayer of the petitioner was aimed to delay the disposal of the Eviction Suit, as such, the learned Trial Judge is totally justified in dismissing the said prayer of the petitioner.

The order impugned, therefore, does not call for any interference.

C.O. 2789 of 2024 is dismissed without any order as to costs.

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.)