

13.02.2024

Srimanta

Sl. No. 11

Ct. No. 655

CO/2338/2013

Sri Sanjit Pal

-Vs.-

Nirma Limited

Mr. Malay Bhattacharyya,

Ms. Sudipa Sengupta

...for the petitioner.

Mr. Souri Ghosal,

Mrs. Soumashree Ghosh

...for the opposite party.

Petitioner is represented.

Mr. Souri Ghosal, learned Counsel on behalf of the opposite party is also present.

An accommodation is prayed for at the behest of the petitioner.

The instant application is filed under Article 227 of the Constitution of India challenging the impugned Order No. 20 dated 19.07.2012 by which the learned Trial Court rejected the prayer of this petitioner to call for the record.

Being aggrieved by and dissatisfied with the said order the instant revisional application has been filed by the petitioner.

It appears that the opposite party/plaintiff filed a summary suit against the present petitioner before the learned Trial Court being No. 1426/2010 to get a Money decree to the tune of Rs.3,74,296/- and the said suit was decreed *ex parte*. A direction was made by the learned Trial Court upon the petitioner to pay the sum of Rs.3,74,296/- and as the same was not complied with, the said decree was put into execution by the decree-holder. In the said execution case the

prayer was made by the judgment debtor with a prayer for calling the records which was turned down

by the Court by passing the impugned order dated 19.07.2012.

On earlier occasion, petitioner was directed to submit the present status/stage of the suit pending before the Trial Court but it was submitted at the behest of the petitioner today that he could not be able to collect the status/stage of the suit pending before the Trial Court.

Considering the entire scenario it appears that the present revisional application is totally devoid of any merit and there is no justification to keep the revisional application alive in the list. Accordingly the same is liable to be dismissed. The revisional application being CO/2338/2013 is hereby dismissed on merit.

Interim order, if any, stands vacated.

There will be no order as to costs.

(Prasenjit Biswas, J.)