

(26)
28.08.2024
(P.Jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO No. 3044 of 2024

Shunia Saren @ Sonia Soren & ors.

-vs-

Rabin Manna & Ors.

Mr. Debasis Sur,
Mr. Santanu Chakraborty,
... for the petitioners/defendants.

The petitioners are the defendants of the *Title Suit No. 61 of 2022*, a suit for declaration of title which is pending before the Additional Court of learned Civil Judge (Junior Division), at Serampore, District: Hooghly and they are the plaintiffs of *Title Suit No. 71 of 2018*, also a suit for declaration of title and injunction, pending before the selfsame Court.

The petitioners by an application under Section 151 of the Code of Civil Procedure in *Title Suit No. 61 of 2022* prayed analogous trial of both the suits which the learned Trial Judge by the order impugned being Order No. 35 dated August 08, 2024 has dismissed holding that though some parties to the suits are same but, not only the cause of action, but the suit properties of the said suits are also different.

In view of the finding(s) of the learned Trial Judge, this Court is not inclined to interfere with the order impugned.

CO 3044 of 2024 is thus dismissed without any order as to costs.

The disposal of both the suits however, be expedited.

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.)