

11.12.2024
Ct. No. 22
Sl. No.11
KB

**In The High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side**

C.O. 3188 of 2023

**Sri Balram Singh & Ors.
-versus-
Radhia Devi & Ors.**

**Mr. Partha Chakraborty
Mr. Muhammad Obaid
... For the petitioners.**

1. Challenge in this revisional application is the order dated 3rd July, 2023 passed in connection with Title Suit No.02 of 1997 wherein Learned Civil Judge (Junior Division), Islampur, Uttar Dinajpur rejected an application under Order 1 Rule 10(2) of the Code of Civil Procedure for adding District Magistrate, Uttar Dinajpur, Sub-Divisional Officer, Islampur and Block Land and Land Reforms Officer, Islampur as parties.

2. Learned counsel appearing on behalf of the petitioners submitted that the suit was filed with a prayer for declaration of right, title and interest over the subject property along with consequential reliefs.

3. Learned counsel has further submitted that the right accrued in favour of the plaintiffs through patta which was required to be proved and that is why the application was filed with a prayer for adding those Government officials.

4. Alternatively, learned counsel appearing on behalf of the petitioners has submitted that necessary liberty may be given to the plaintiffs/petitioners to adduce further evidence in this regard instead of allowing addition of any official in the suit.

5. Entire effort, in my opinion again, is absolutely devoid of merit and learned Judge rightly observed that none of these officials were necessary parties to the suit.

6. In the aforesaid view of the matter, the instant application is liable to be dismissed.

7. So far as the liberty is concerned, petitioners/plaintiffs are entitled to file the application and Learned Judge is also at liberty to decide the prayer according to law.

8. With the aforesaid observations, the revisional application stands dismissed.

9. Interim order, if there be any, stands vacated.

10. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

11. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Bibhas Ranjan De, J.)