

18.01.2024
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AN/Ct. No.07

CO 3487 of 2023

Smt. Aditi Mondal & anr.
versus
Sri Amit Chatterjee & anr.

Mr. Swapan Kr. Pal

... for the petitioners

The order no. 161 dated 18.08.2023 passed by the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta in Ejectment Suit No. 237 of 2009 is under challenge in this application under Article 227 of the Constitution of India.

It appears from the said order that the learned trial judge after rejecting the application under Order VI Rule 17 of the Civil Procedure Code filed by the defendants directed the parties to come ready for hearing of arguments and 01.09.2023 was fixed for such argument.

Learned counsel appearing for the petitioner, in his usual fairness, submits that the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta has decreed the Ejectment Suit No. 237 of 2009 by a judgment and decree dated 12.12.2023. In view thereof, the instant revisional application has become infructuous and the same stands **disposed of**. However, it will be open to the petitioner to take all points in the appeal, if preferred against the said decree.

(Hiranmay Bhattacharyya, J.)