

**Item No. 07**

**Ct 22**

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**04.12. 2024**

IN THE HIGH COURT AT CALCUTTA  
CIVIL REVISIONAL JURISDICTION  
APPELLATE SIDE

**CO 3532 of 2023**

**Sri Sakya Singharoy & Anr.  
Vs  
Sri Kamal Patra & Ors.**

Mr. Partha Pratim Roy,  
Mr. Samrat Chakraborty.

.... For the

petitioners.

Mr. Sarat Kr. Roy,  
Mr. Abhishik Banerjee.

... For the opposite party No. 5 to 9.

1. This revisional application has been filed assailing the order dated 19.09.2023 passed in connection with Title Suit No. 6 of 2009, wherein learned Civil Judge (Senior Division), 1<sup>st</sup> Additional Court, Burdwan, Purba Burdwan rejected the prayer for analogous hearing of the suit along with Title Suit No. 05 of 2009.
2. Both the learned counsels appearing on behalf of the parties to this revisional application are ad idem of the fact that both the suits are required to be heard analogously as the issue involved in these suits are identical.
3. In these circumstances, repeated rejection of the prayer for analogous hearing cannot be the ground to refuse the prayer of the instant

revisional application.

4. Considering the order already passed in connection with 3321 of 2023 as well as taking submission advanced on behalf of the parties into consideration, the impugned order stands set aside.
5. Learned Trial Judge is requested to dispose of both the suits being, T.S No. 05 of 2009 and T.S. 06 of 2009 analogously, preferably within a period of six months from the date of receipt of the Commissioner's report, which has already been dealt with in CO 3321 of 2023.
6. With the aforesaid observation, the revisional application stands disposed of.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

***(Bibhas Ranjan De, J.)***