

April 16, 2024
Sl. No.A 50
Court No.19
s.biswas

CO 4314 of 2023

Arindam Chatterjee

vs.

Sukumar Mondal

Mr. Haradhan Banerjee
Mr. Asit Kr. Bhattacharya
Ms. Mousumi Biswas

... for the petitioner

1. The revisional application arises out of an order dated October 16, 2023 passed by the learned Civil Judge (Junior Division), 3rd Court, Baruipur, District South 24 Parganas, in Title Suit No.353 of 2019.
2. By the order impugned, the learned court allowed the defendant to obtain a separate electric connection in the suit property. The learned court rightly held that there was no bar in allowing the contesting defendant, who is in occupation of the property from obtaining the such electric connection. Electricity is an essential requirement for daily life and thus the court acted as per law in allowing such connection during pendency of the suit. Needless to mention such connection will abide by the result of the suit.
3. Thus, this court is not willing to entertain the revisional application, thereby interfering with the order impugned. The order impugned is upheld. However, as this is a suit for eviction,

the learned court is directed to dispose of the same positively within a year from the next date fixed, on its own merits and without granting unnecessary adjournments to either of the parties.

4. This court has not gone into the merits of the suit, which is pending before the learned court.
5. The revisional application stands disposed of accordingly.
6. All the parties are directed to act on the basis of the server copy of the order.
7. Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Shampa Sarkar, J.)