

April 23, 2024

ARDR (3)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction**

C.O. 29 of 2024

Ashok Rawat @ Routh
Vs.
Amit Prasad Sah & ors.

Adv. Bikramaditya Ghosh,
Adv. Supriya Singh

...for the petitioner.

Adv. Debarshi Dhar,

...for the opposite parties.

Heard learned counsels for the parties.

It is submitted on behalf of both the parties that the deposition of defendant witness nos. 1 and 2 which are not found in the case record of Title Suit no. 58 of 2016 pending before the learned Civil Judge (Junior Division), Siliguri be traced out for the purpose of disposal of the suit.

In view of the above, the application being C.O. no. 29 of 2024 is allowed.

Learned Civil Judge (Junior Division), Sililguri is directed to take immediate steps for tracing out the deposition of defendant witness nos. 1 and 2 and incorporate the same in the case record of Title Suit no. 58 of 2016 within two months from the date of communication of this order. Since the suit is pending since 2016, the learned Civil Court is further directed to dispose of the matter as expeditiously as the business of the Court would permit, preferably within

a period of two months from the date of incorporation of the depositions in the record.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)