HIGH COURT OF TRIPURA
AGARTALA

CRP No.42 of 2025

Sri Paresh Chandra Das, S/o Late Tinkari Das, resident of Ratannagar, P.S. Bishalgarh, District- Sepahijala Tripura

.....Petitioner(s);

Versus

1. Smti Aratibala Shil, W/o Sri Sachindra Shil, D/o Late Abo Shil, resident of Ghaniamara, Bishalgarh, P.S. Bishalgarh, District- Sepahijala Tripura

2. Smti Putul Biswas @ Putul Biswas Shil, W/o Late Harendra Biswas, D/o Late Abo Shil, resident of Sukanta Palli, Ward No.35, Jogendranagar, P.S. East Agartala, District- West Tripura

.....Respondent(s)

For Petitioner(s) : Mr. Pradip Chakraborty, Advocate,
Ms. S. Debnath, Advocate.

For Respondent(s) : Mr. Samar Das, Advocate,
Mr. Prahallad Rudra Paul, Advocate.

HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO

Order

01/11/2025

This revision is filed by the petitioner who is the 20th defendant in the suit challenging an order dated 21.03.2025 passed in an application filed under Section 151 CPC for acceptance of the written statement submitted on 03.01.2025.

2. The Trial Court rejected the said application on the ground that the petitioner cannot plead any mistake on the part of the earlier engaged counsel for filing the written statement, and the written statement cannot be received beyond the statutory period of 90 days.

3. Though counsel for the petitioner sought to contend that the order of the Trial Court is erroneous, since the petitioner had admittedly received the summons of the suit in the year 2022 itself, and had chosen to file the written statement in January, 2025, though ample time of 90 days is provided under the

statute, no relief could have been granted by the Trial Court to the petitioner for seeking to file the written statement at such a belated stage.

4. Therefore, I do not find any error of jurisdiction in the order of the Trial Court warranting interference by this Court under Section 115 CPC. Accordingly, it is dismissed.

(M.S. RAMACHANDRA RAO, CJ)

HIGH COURT OF TRIPURA
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