

18th June, 2025

Item no.DL 319
Court No. 06

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side

Case No. **CO 978 of 2025**
with
CAN 1 of 2025
CAN 2 of 2025

In the matter of :
Shirshendu Bhowmik @ Sirshendu Bhoumik & Anr.
.... Petitioners
VS.
Triptikana Ghosh & Ors.
....Opposite Parties

For the Petitioners :
Mr. Biswajit Tiwari (via VC)
....Advocate

For the Opposite Parties :
Mr. Kallol Basu
Mr. Bratin Kumar Dey
Mr. Swapnamoy Sarkar
Ms. Shreejita Sen
....Advocates

This application under Article 227 of the Constitution of India is at the instance of the defendants and is directed against an order being no.56 dated 20th February, 2025 passed by the learned Civil Judge (Senior Division), 1st Court, Malda in Partition Suit No.37 of 2018.

By the order impugned, the prayer of the defendants for bringing Swapan Barman on the dock to prove the Deed being no.2420 stood rejected.

The learned advocate appearing for the petitioners submits that the petitioners did not want

Swapam Barman to be examined. He submits that in effect the prayer of the petitioner was to produce Jarman Barman alias Jarman Roy as a witness.

Learned advocate appearing for the petitioners in course of his argument could not substantiate as to how the said Jarman Barman alias Jarman Roy is a material witness. For such reasons, this Court is not inclined to interfere with the order impugned.

Accordingly, **CO 978 of 2025** stands **dismissed**.

There shall be no order as to costs.

In the light of the order passed in CO 978 of 2025, CAN 1 of 2025 and CAN 2 of 2025 stand disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(**Hiranmay Bhattacharyya, J.)**