

M/L- 1152
30/06/2025
Ct. No.-6
Aritra

C.O. 1014 of 2025

**Bandana Saha
Vs.
Sri Gutam Bag & Anr.**

Mr. Sounak Mandal

...for the petitioner

This matter is appearing in the Combined List of June, 2025.

In view of the order passed in CO 2272 of 2025, this civil revision application is taken up for hearing.

This application under Article 227 of the Constitution of India is at the instance of the defendant and is directed against an order being No.2 dated March 3, 2025 passed by the learned District Judge at Howrah in Title Appeal No.18 of 2025.

By the order impugned, the learned District Judge was not inclined to pass any order of stay considering the fact that the application under Section 5 of the Limitation Act was pending.

Since in the meantime, the application under Section 5 of Limitation Act has been allowed and this Court in CO 2272 of 2025 passed an order today i.e. on 30.06.2025 giving liberty to the petitioner to apply before the learned District Judge, Howrah for fixing a date of hearing of the stay application, nothing survives to be decided in CO 1014 of 2025.

In view thereof, CO 1014 of 2025 stands disposed of as infructuous.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)