

CO 1627 of 2025

Pinaki Patra
vs.
Utpal Patra & Ors.

Mr. Prakash Chandra Mondal
Mr. Debabrata Mondal
Mr. Dinesh Chandra Mondal
....for the Petitioner

This application under Article 227 of the Constitution of India is at the instance of the 4th defendant who claims that his name is 'Pinaki Patra' not 'Pinaki Ranjan Patra' and is directed against orders dated 5th December, 2023, 15th April, 2024 and dated 11th September, 2024 all passed by the passed by the learned Civil Judge (Junior Division), Haldia in Title Suit No. 173 of 2023.

The learned advocate appearing for the petitioner submits that defendant No. 3, namely, Somnath Patra died on 4th May, 2021. The learned advocate appearing for the petitioner further submits that the defendant No. 3 died unmarried.

He further submits that an application was filed by the defendant No. 4 stating that the defendant No. 3 died prior to the filing of the suit and such application has not yet been taken up for consideration by the learned Trial Judge.

In the light of the aforesaid submissions made by the learned advocate for the petitioner, CO 1627 of 2025 stands disposed of by requesting the learned Civil Judge (Junior Division), haldia to take up the hearing of the application filed by the defendant No. 4 which is annexed at page 16 of the civil revision application, if

the same was filed in accordance with law and to dispose of the same as expeditiously as possible.

However, learned advocate for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite parties or upon the learned advocates representing the opposite parties before the learned Trial Judge.

With the above observations and directions CO 1627 of 2025 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Hiranmay Bhattacharyya, J.)