

17.11.2025  
Sl. No. 50  
Ct No. 6  
SG

**CO 1660 of 2025**

**Sri Sanatan Mondal & Anr.**  
**Vs**  
**Sri Ananda Mondal & Anr.**

Mr. Subhendu Bandyopadhyay,  
Mr. Arinam Mitra.

...for the petitioners

Mr. Tanmoy Mukherjee,  
Mr. Souvik Das,  
Mr. K.R. Ahmed,  
Mr. T. Chatterjee,  
Mr. R. Das.

...for the opposite party

1. The petitioner is aggrieved by an order dated November 28, 2024 passed by the learned Civil Judge (Junior Division), 4<sup>th</sup> Court, Serampore, Hooghly in Title Suit No. 314 of 2022. By the order impugned the learned Court rejected an application filed by the petitioner under Section 10 of the Code of Civil Procedure. The petitioner prayed for stay of all further proceedings in Title Suit No. 314 of 2022 as it was contended that the suit was between the same parties and on a similar cause of action as Title Suit No. 43 of 2011. Title Suit No. 43 of 2011 being a prior suit should be disposed of first.

2. According to the learned Court, the matters in the two suits were not identical and the question of grant of stay of the subsequent suit did not arise.

3. The petitioner contends that the learned Court erred in not taking into account that the decision in the subsequent suit would have a bearing in the previous suit and as such the previous suit should be allowed to continue upon granting stay of the subsequent suit.

4. Having considered the rival contentions of the parties, this Court finds that, Title Suit No. 43 of 2011 is pending before the learned Civil Judge (Junior Division), 3<sup>rd</sup> Court, Serampore, Hooghly and Title Suit No. 314 of 2022 is pending before the learned Civil Judge (Junior Division), 4<sup>th</sup> Court, Serampore, Hooghly. In my opinion, justice would be served if both the suits are tried analogously.

5. Under such circumstances, the learned District Judge, Hooghly is directed to transmit the records of either of the suits to one of the courts in which one of the cases is pending and thereafter the learned transferee Court shall decide the two suits analogously and make attempts to dispose of the same as expeditiously as possible.

6. Accordingly, this revisional application is disposed of.

7. There shall be no order as to costs.

8. Parties are to act on the server copy of this order.

**(Shampa Sarkar, J.)**