

D/L
Item No. 32
16.06.2025
KOLE

CO 2046 of 2025

Mrinal Kanti Roy & Ors.

-Vs.-

Apurba Ghatak & Anr.

Mr. Malay Bhattacharyya

...for the petitioner.

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. 97 dated 11th November, 2024 passed by the learned Civil Judge, Junior Division, District Bankura in Title Suit No. 32 of 2016.

By the order impugned the application filed by the petitioner herein under Section 165 of Bharatiya Sakshya Adhiniyam, 2023 stood rejected. The petitioner filed an application praying for a direction upon the district Sub-Registrar to produce the deed bearing No. IV-73 for the year 1965 of ADSR, Kotulpur.

The learned Trial Judge was right in holding that Section 165 of the BSA has no manner of application to the case in hand as it deals with the case of a witness being summoned to produce a document before the Court.

For such reason this court is not inclined to interfere with the order impugned.

CO No. 2046 of 2025 stands dismissed, without, however, any order as to costs.

The petitioner is free to take appropriate steps in accordance with law.

(Hiranmay Bhattacharyya, J.)