

24.06.2025
Item no. 17.
Court No.6.
AB

C. O. 2192 of 2025

Joydeb Paul
Vs
Biva Das & Others

Mr. Kishore Mukherjee
Ms. Dipanwita Guptafor 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 dated March 29, 2025 passed by the learned Civil Judge (Senior Division), Sealdah, 24 Parganas (South) in Ejectment Suit No.18 of 2018.

By the order impugned, the application under Order 7 Rule 10 of the Code of Civil Procedure stood rejected.

The learned advocate appearing for the petitioner submits that the monthly rent is Rs.600/- and the suit ought to have been valued only at Rs.7,200/-, but the plaintiff has unnecessarily valued the suit at Rs.1,59,000/- by including a compensation of Rs.1,50,000/-. It is for the plaintiff to value the suit according to the reliefs claimed. The defendant cannot dictate as to how the plaintiff shall value the suit. The plaintiff has prayed for recovery of compensation and damages amounting to Rs.1,50,000/-. The suit has been filed before the appropriate Court having

territorial and pecuniary jurisdiction to decide the same. The learned Trial Judge assigned cogent reasons for rejecting the application under Order 7 Rule 10 of the Code of Civil Procedure.

This Court is not inclined to interfere with such order.

C. O. No.2192 of 2025 stands dismissed accordingly.

There shall be no order as to costs.

(Hiranmay Bhattacharyya, J.)