

D/L 29
20.06.2025
Rohit
ct.no.25

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

**CO 1915 of 2023
With
CAN 1 of 2024**

**Badkulla Anami Club & Ors.
Versus
Sri Goutam Roy & Anr.**

Mr. Ashoke Kumar Banerjee, Sr. Adv
Mr. Amal Krishna Saha

...for the Petitioners

Mr. Balailal Sahoo
Mr. Surojit Samanta
Ms. Sohini Samanta

...for the O.P

The present petition has been filed challenging the order dated 11th of April, 2023 passed by the learned Civil Judge, Senior Division, Nadia in Title Suit No. 40 of 1989. Vide impugned order the learned Trial Judge declined the adjournment plea being moved by the petitioner/defendant no.1.

At the outset the learned counsels have submitted that there seems to be some error in the impugned order, as the adjournment was sought on the ground of illness of the lawyer for the defendant, whereas the learned Trial Court Judge took it as the illness of the defendant. There seems to be some inadvertent error. However, without going into the

further merits the order dated 11th April, 2023 is set aside.

The learned Trial Court shall decide the application afresh for appointment of the learned Advocate Commissioner after giving both the parties an opportunity of being heard. However, such application shall be decided on or before 31st of July, 2025.

The learned Trial Court shall not grant any unnecessary adjournment to the petitioner/defendant no.1.

Accordingly, the petition stands disposed of.

(Dinesh Kumar Sharma, J.)