

02.07.2025
Item no. 27.
Court No.6.
AB

C. O. 2282 of 2025

**Ram Naresh Singh
Vs
Smt. Rina Mitra & Others**

Mr. Kaushik Dey,
Mr. Debdipto Banerjeefor the Petitioner.

This application under Article 227 of the Constitution of India is at the instance of the 1st defendant and is directed against an order no.222 dated 19.11.2024 and order no.226 dated 29.04.2025 both passed by the learned Judge, 5th Bench, Presidency Small Causes Court, Calcutta in Ejectment Suit No. 2851 of 2000.

By the order dated November 19, 2024, the learned Trial Judge directed that the suit be proceeded ex parte against the defendant no.2 (a) to 2 (d) and the plaintiffs are given liberty to adduce evidence in view of the written statement of the defendant no.4 filed on 21.11.2005 and the defendant no.4 was also given liberty to adduce evidence on his behalf.

By the order dated April 29, 2025, an application under Section 151 of the Code of Civil Procedure praying for allowing the defendant nos.2(a) to 2(d) to contest the instant suit, stood rejected.

After going through the orders impugned, this Court finds that the petitioner, who is the defendant no.1 in the said suit, cannot be said to be prejudiced by the orders impugned. No right of the defendant no.1 appears to have been affected by the orders impugned.

For such reason, this Court is not inclined to entertain the civil revision application at the instance of the defendant no.1.

With the above observation, the civil revisional application stands disposed of.

(Hiranmay Bhattacharyya, J.)