

30.06.2025
Item no. 77.
Court No.6.
AB

C. O. 2295 of 2025

Khudiram Dey & Anr.
Vs
Sri Sri Swarup Narayan Thakur & Ors.

Mr. Anindya Ghosh,
Mr. Apurba Ghosh,
Mr. Pronojit Roy for the Petitioners.

This application under Article 227 of the Constitution of India is at the instance of the defendant challenging the order dated March 19, 2025, passed by the learned Civil Judge (Sr. Division), Bishnupur, Bankura in Title Suit No.59 of 2023.

By the order impugned, the application under Order 39 Rule 4 of the Code of Civil Procedure was kept in abeyance till the consideration of preliminary issue and June 30, 2025 was fixed for hearing of the preliminary issue.

In view thereof, this Court is not inclined to interfere with the order impugned at this stage.

The learned advocate for the petitioners submits that a direction be passed upon the learned Trial Judge to decide the preliminary issue expeditiously.

In the light of the submission made by the learned advocate for the petitioners, C. O. No.2295 of 2025 stands disposed of by requesting the learned

Civil Judge (Sr. Division), Bishnupur, Bankura to decide the preliminary issue as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

Depending on the fate of the hearing on the preliminary issue, the learned Civil Judge, (Sr. Division), Bishnupur, Bankura shall proceed thereafter in accordance with law.

(Hiranmay Bhattacharyya, J.)