

22.07.2025
Item no. 10.
Court No.6.
AB

C. O. 2557 of 2025

**Monoranjan Das & Others
Vs
Renubala Das & Others**

Mr. Prasanta Kr. Banerjee,
Mr. Aditya Sinhafor the Petitioners.

Mr. Banerjee, learned advocate appearing for the petitioners, submits that he has instructions to press the civil revision application insofar as the first portion of the order by which the written statement was accepted is concerned.

He further submits that the petitioners are not aggrieved by the portion of the order by which the application under Section 151 of the Code of Civil Procedure praying for implementation of the order of injunction stood rejected.

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against an order no.149 dated 13.01.2025, passed by the learned Civil Judge (Jr. Division), Kalna, Purba Burdwan in Title Suit No.68 of 1993.

By the first portion of the said order, the learned Trial Judge recorded that the defendant no.1 has filed the cost receipt as per the order dated August 2, 2024.

Mr. Banerjee, learned advocate appearing for the petitioners submits that the learned Trial Judge accepted a written statement, which was filed belatedly without assigning any reason.

Record reveals that the learned Trial Judge by the order dated 2.8.2024 accepted the written statement filed by the defendant no.1 subject to payment of cost of Rs.1,500/-. Such order has not been challenged by the petitioners in the civil revision application. By the order impugned, the learned Trial Judge has only recorded that the defendant no.1 has submitted the cost receipt of Rs.1,500/-.

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

C. O. No.2557 of 2025 stands dismissed.

There shall be no order as to costs.

(Hiranmay Bhattacharyya, J.)