

13.08.2025
Item No.19.
Court No.06.
S. De
265719

C.O. 2897 of 2025

Madhusudan Ghosh.
Vs
Sandhya Chakraborty & Ors.

Mr. Arka Ranjan Bhattacharyya,
...for 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 June 23, 2025, passed by the learned Civil Judge (Jr. Divn.), 1st Civil Judge Court, at Barrackpore, North 24 Parganas in Title Suit No.155 of 2022.

Learned advocate appearing for the petitioner submits that the documents were marked as exhibits without giving any opportunity to the petitioner to file an objection against marking such exhibits. The opposite party filed a suit for recovery of khas possession upon revocation of licence. In such a suit, the PW-1 filed her examination-in-chief and she has examined in full and cross-examined in part.

The documents were marked as exhibits at the stage of evidence in presence of the petitioner and the objection of the defendants were recorded as would be evident from the order.

Thus, this Court finds that the submission of the learned advocate for the petitioner that he was not given any opportunity to raise any objection against marking of such exhibits is without any basis. It further appears that on the prayer of the defendant, the cross-examination was adjourned.

The impugned order does not suffer from any infirmity warranting interference under Article 227 of the Constitution of India.

Accordingly, C.O. 2897 of 2025 is dismissed.

There shall be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Hiranmay Bhattacharyya, J.)