

14 **18.09.
2025**

Ct. No. 06

Ab

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION.**

CO 3072 of 2025

**Asit Kamila and others
Vs.
Arindam Kamila and others.**

**Mr. Supratik Jana,
Mr. Debanshu Mallick.**

... for the petitioners.

1. This application under Article 227 of the Constitution of India is at the instance of the plaintiffs and is directed against an order being no. 20 dated 31st July 2025 passed by the learned Civil Judge, (Junior Division), 1st Additional Court, Contai, Purba Medinipur in Title Suit No. 3 of 2024.
2. By the order impugned, an application under Section 151 of the Code of Civil Procedure praying for stay of all further proceedings of the Title Suit was rejected.
3. Learned Advocate for the petitioners submits that the prayer for stay of all further proceedings of the suit was made on the ground that the proceedings for annulment of patta is pending before the competent authority.
4. The petitioners herein filed a suit for declaration of title and for permanent injunction. In the said suit, the petitioners filed an application under Order XXIX Rule 1 and 2 of the Code and the prayer for temporary injunction was allowed on contest and both the parties are restrained from changing nature and character of the 'ka' schedule property. The opposite parties have also filed the written statement.
5. Mere pendency of a proceeding for annulment of patta cannot be a ground for stay of all further

proceedings, a suit for declaration, title and permanent injunction, as rightly held by the learned trial Judge.

6. For such reason, this Court is not inclined to interfere with the order impugned.
7. CO 3072 of 2025 is dismissed.
8. There shall, however, be no order as to costs.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Hiranmay Bhattacharyya, J.)