

Court No. 6
(265719)

10.09.2025
(AD 19)
(S. Banerjee)

CO 3309 of 2025

Bijoy Panda & Ors.
Vs.
Sahadeb Maity & Ors.

Mr. D. Nandi
Mr. Subir Banerjee

...for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the plaintiffs and is directed against an order dated July 29, 2025 passed by the learned Civil Judge (Jr. Division), 2nd Court at Tamluk in Title Suit No. 237 of 2018.

By the order impugned, the direction passed upon the District Forest Officer concerned for trimming of Kshirish tree was recalled and the plaintiff was directed to fell down the Kshirish tree at his own arrangement and to take away the trunk and branches of the said trees.

After going through the order impugned this court finds that the learned trial judge after considering the report of the Forest Range Officer dated July 29, 2025 and on the basis of the submission made by the learned advocate for the

plaintiffs that a direction be passed upon the plaintiffs to fell down the kshirish tree and to take away the trunk and branches of the tree, such order was passed.

Learned advocate appearing for the petitioners submits that such a submission was not made by the learned advocate appearing for the petitioners.

It is well-settled that the records of the proceedings of a court is sacrosanct and the same cannot be permitted to be challenged before a superior forum by filing an affidavit or an application.

It will be well open to the petitioner to take appropriate steps in accordance with law if it is the contention of the petitioners that such submission was not made before the learned trial judge when the impugned order was passed.

CO 3309 of 2025 stands disposed of with the aforesaid liberty.

(Hiranmay Bhattacharyya, J.)