

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 3484 of 2023
with
IA No. CAN 1 of 2024
CAN 3 of 2024
CAN 4 of 2024
CAN 5 of 2024
CAN 6 of 2024
CAN 7 of 2025
(Assigned)

Partha Dan
Vs.
Khusbinder Singh

Mr. Shamik Bagchi
... For the petitioner

Mr. Kaustav Ch. Das
... For the opposite party

1. Challenge in this revisional application is the order no.145 dated 15th June, 2023 passed in connection with Ejectment Suit No.178 of 2008 wherein the learned Civil Judge (Junior Division), 4th Court, Alipore disposed of an application filed on behalf of the defendant/opposite party herein for staying the ejectment suit pursuant to the solemn order passed by the Coordinate Bench in connection with CO 3754 of 2011 and passed an order awaiting disposal of the Title Suit No.3257 of 2008 pending before the learned Civil Judge (Senior Division), 4th Court, Alipore.

2. Learned counsel appearing on behalf of the plaintiff/petitioner herein has drawn my attention to the solemn order passed in CO 3754 of 2011 and submitted

that specific time period of 15 months was given for disposal of the title suit.

3. Submission advanced on behalf of the petitioner, in my opinion, has no leg to stand as specific direction was given in the order passed by the Coordinate Bench for staying the eviction suit till the disposal of the Title Suit, being No.3257 of 2008.

4. On careful scrutiny of the order impugned in this revisional application, I find that the learned Trial Judge passed this order in compliance with the order dated 22nd February, 2012 passed in CO 3754 of 2011.

5. As a sequel, I do not find any infirmity or perversity in the order to exercise the jurisdiction under Article 227 of the Constitution of India.

6. The revisional application stands dismissed.

7. Interim order, if any, stands vacated.

8. All connected applications also stand disposed of accordingly.

9. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)