

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 3678 of 2023

Khairul Basar Khan & Anr.
Vs.
Khairul Alam Khan & Anr.

Mr. S.P. Tewary
Mrs. Suparna Mallick
... For the petitioners

1. This revisional application has been filed assailing the order dated 19th June, 2023 passed in connection with Title Appeal No.25 of 2014 wherein the learned Additional District Judge, 2nd Court, Uluberia refused an application on the ground that another application dated 13th February, 2015 with the same prayer under Order XLI Rule 27 of the Code of Civil Procedure was allowed by the order dated 12th January, 2018 and the appellant adduced his evidence in respect of the transfer certificate of Khairul Basar Khan. That is why the learned Judge refused the subsequent application dated 29th May, 2023 containing the same issue of the application dated 13th February, 2015 which was already disposed of by the order dated 12th January, 2018. By the order impugned, the learned Judge directed the appellant to comply with the direction in the order dated 12th January, 2018.

2. Learned counsel appearing on behalf of the petitioners has referred to the application dated 29th May, 2023 and submits that a prayer for recalling of the earlier

order has no bearing with the issue involved in this revisional application.

3. However, considering the order impugned between the lines, I do not find any infirmity to interfere with the same in exercising power under Article 227 of the Constitution of India.

4. With the above observation, the revisional application stands dismissed , without passing any order asking the petitioners to serve notice upon the opposite parties.

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

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

(Bibhas Ranjan De, J.)