

Item No. 18
17.11.2025
Court. No. 6
GB

C.O. 3891 of 2025

Prabir Kumar Suhasaria
Vs.
Sailen Kumar Sen

*Mr. Debanik Banerjee,
Mr. Steven S. Biswas*

...for the Petitioner.

*Mrs. Sohini Chakraborty,
Ms. P. Das*

...for the Opposite Party.

1. The petitioner is aggrieved by the order dated September 9, 2025, passed by the learned Civil Judge (Senior Division), 4th Court, Alipore, South 24 Parganas in Title Suit No.2185 of 2009.
2. By the order impugned, the learned court rejected the application under Section 151 filed by the petitioner, seeking extension of time to deposit Rs.18,91,341 towards stamp duty, which was impounded by the court.
3. The petitioner contends that the direction of the Officer-in-Charge, District Registration Cell, South 24 Parganas to make payment within 15 days from May 19, 2025 in the Alipore Court Treasury Branch of State Bank of India under the mentioned Treasury Code, was not made known to the petitioner. Moreover, the petitioner was unwell and he was unable to attend the court on the day compliance was directed by the court. As such, owing to ill health and lack of knowledge of the requirement to make such payment, the payment could not be made. Extension of time was prayed for

before the learned court, which the learned court did not allow.

4. Ms. Chakraborty, learned advocate for the opposite party submits that the court had no other option but to reject the application, inasmuch as, the petitioner had approached the court after one month from the date compliance was directed by the learned court. At best, the court could have extended the time by one month, but now, such period is over and the petitioner has no other alternative, but to make such payment.
5. In my view, justice would be sub served if the amount as directed by the Officer-in-Charge, District Registration Cell, South 24 Parganas is allowed to be deposited in terms of the memo dated May 19, 2025, within December 15, 2025, otherwise the petitioner will lose a valuable right to contest the suit. Petitioner will be permitted to make such deposit as directed within December 15, 2025. The order impugned is modified.
6. Accordingly, the revisional application is disposed of.
7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)