

13.06.2025

Court No.652

Sl. No.28
Mujahid

CO 3909 of 2023

Robin Das
Vs.
Ananda Kumar Chakraborty

Mr. Ladshmi Nath Bhattacharya
...for the petitioner

Mr. Siva Prasad Ghosh
...for the opposite party

1. Present petition has been filed challenging the order dated 6th October, 2023 whereby the adjournment petition filed by the petitioner/defendant was rejected and the defendant evidence was closed.

2. Learned counsel for the petitioner submits that he may be given one opportunity for tendering the defendant witness for the purpose of cross-examination and the learned counsel undertakes that the defendant witness shall appear for the cross-examination on the date fixed by the learned trial court.

3. Learned counsel for the opposite party/plaintiff submits that heavy cost may be imposed upon the petitioner/defendant as his cost is unnecessarily delayed.

4. I have considered the submissions in view of the undertaking given by the learned counsel for the petitioner. Let the petitioner/defendant produce defence witness for the purpose of cross-examination on 25th June, 2025 at 12.00 noon. Learned trial court shall not grant any adjournment to the petitioner/defendant except in the exceptional circumstances. In the circumstances the petition stands disposed of.

5. Learned counsel for the petitioner submits that he shall pay the cost as opposed by the learned trial court.

(Dinesh Kumar Sharma, J.)