

Item No. 11
12.12.2025
Court. No. 6
GB

C.O. 4091 of 2025

Santosh Ghosh
Vs.
Shyamal Kumar Ghosh & Anr.

Mr. Parashar Baidya,
Mr. Soham Banerjee

...for the Petitioner.

1. The revisional application has been filed challenging an order dated June 5, 2025, passed by the learned Civil Judge (Senior Division), 2nd Court at Krishnagar, Nadia.
2. By the order impugned, the learned court accepted a belated written statement upon payment of cost by the defendant to the petitioner. The court recorded that, although the plaintiff raised a formal objection to the acceptance of the written statement, it was submitted that, no written objection would be filed to the said application.
3. The court exercised discretion, keeping in mind the importance of a fair trial and granted an opportunity to all the parties to contest the proceeding. Thus, the court vacated the order by which the suit was kept for ex parte hearing and accepted the written statement upon awarding of cost to the plaintiff. A date was fixed for framing of issues.
4. It is submitted that mediation has failed.
5. Under such circumstances, this Court does not find any illegality or irregularity with the order impugned,

especially in view of the fact that the plaintiff had submitted before the learned court that he would not file any formal objection to the application for acceptance of a belated written statement and for vacating the order by which the suit was fixed for ex parte hearing.

6. However, it is made clear that, as sufficient time has been wasted due to the delay in filing the written statement, the learned court shall expedite the suit and make a serious endeavour to dispose of the same preferably within a period of one year from date.
7. Accordingly, the application is disposed of.
8. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)