

Item No. 20
10.12.2025
Court. No. 6
GB

C.O. 4075 of 2025

Sri Shatrughna Prasad Singh & Anr.
Vs.
Sri Sushil Kumar Mishra

Mr. Sanjib Kumar Ghosh

...for the Petitioners.

1. This revisional application arises out of an order dated November 7, 2025, passed by the learned Civil Judge (Junior Division), 1st Court at Alipore, South 24 Parganas in Title Suit No.812 of 2022.
2. By the order impugned, the learned court rejected an application under Order 7 Rule 11 of the Code of Civil Procedure. The petitioner contends that the dispute is commercial in nature. Thus, the learned Civil Judge (Junior Division) will not have any jurisdiction to entertain the application.
3. The learned court was of the view that the suit was filed by the opposite party for declaration of tenancy. The monthly rent of the property was Rs.4,000/-.
4. Under such circumstances, the valuation of the suit was found to be correct. The court held that the suit was declaratory in nature and the reliefs for permanent injunction and mandatory injunction were consequential reliefs.
5. I do not find any irregularity in the order impugned. The plaintiff claimed to be a tenant in respect of the suit property at a monthly rental of Rs.4,000/- and prayed for a declaration of tenancy and permanent

injunction restraining the defendant or his men and agents from alienating the property to any third party.

6. The contention of the learned advocate cannot be accepted. For a suit to come within the definition of a commercial suit, the dispute not only has to be commercial, but also of a specified value. The pecuniary jurisdiction of the commercial court at Alipore is Rs.30,00,000/-. Under such circumstances, the suit was rightly filed before the concerned court as the valuation of the suit does not come within the specified value.
7. Accordingly, the application is dismissed.
8. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)