

22.01.2025
Item No.27
Ct. No. 30
Aloke

CO 3982 of 2024

Subir Chakraborty
Vs
Sanjay Chakraborty alias Bappa Chakraborty & Ors.

Ms. Sudeshna Das
... for the petitioner

The present revisional application has been preferred against an order dated 20.09.2024 passed by the learned Civil Judge (Senior Division), 3rd Court, Alipore in Title Suit No. 206 of 2021 rejecting the petitioner's prayer for analogous hearing along with Title Suit No. 184 of 2023.

The learned Court on the finding that though the property is the same the parties are not similar and thus rejected the prayer.

Title Suit No. 184 of 2023 pending before the same Court is a suit for declaration, injunction and partition in Title Suit No. 206 of 2021 is a suit praying for eviction and recovery of khas possession. Admittedly, the property is the same in both the suits.

Considering the nature of relief prayed for before the trial Court, service is dispensed with and the present revision is disposed of with the direction that the learned Civil Judge (Senior Division), 3rd Court, Alipore shall hear the Title Suit No. 206 of 2021 and Title Suit No. 184 of 2023 simultaneously.

There will be no order as to costs.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Let a copy of this order be sent to the Court of the learned Civil Judge (Senior Division), 3rd Court, Alipore and the learned District Judge, Alipore.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)