

25.11.2025
Item No.42
Court No.1
CHC

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.O. 138 of 2025

Rajkumar Saha & Ors.
Vs.
State of West Bengal & Ors.

Mr. Saumyajyoti Dutta, Advocate
Mr. Anurag Sharma, Advocate
Ms. Nikita Agarwal, Advocate
...for the petitioners

Mr. Pretom Das, Advocate
Mr. Bikash Singha, Advocate
...for the State

1. Affidavit-of-service filed in Court be taken on record.
2. Revisional application is directed against the order no.97 dated December 17, 2024 passed in Title Suit No.30 of 2013, pending before the Civil Judge (Jr. Division), Mekhliganj.
3. Learned advocate appearing for the petitioners submit that, although original of the documents are available, nonetheless without complying with the provisions under Section 63 of the Evidence Act, photocopies of such documents were sought to be tendered in evidence. Learned Judge allowed the marking of photocopies as exhibits (with objection) without the original thereof being produced.
4. Opposite party is represented.

5. It appears from the records that, learned Judge, allowed documents to be marked as exhibits with the noting that, the same were with objection. Learned Judge was pleased to mark the documents as exhibits with objection by the order dated December 17, 2024.
6. In view the objection as to the marking of the document as an exhibit being noted, the learned Judge is yet to decide the validity, legality and sufficiency of the objection. Learned Judge is yet to allow the documents so marked as to be tendered in evidence as an exhibit.
7. Learned Judge, therefore, no doubt, will decide the issue with regard to the objection as to the marking of the documents.
8. Learned Judge is requested to decide the issue on the marking of the documents on the next available date.
9. **C.O. 138 of 2025 is disposed of.**

(Debangsu Basak, J.)