HIGH COURT OF TRIPURA
AGARTALA

CRP No.33/2026

1. Sri Bibek Bhattacharjee, S/O. Late Biswanath Bhattacharjee, resident of Ramnagar Road No.1, P.O. Ramnagar, P.S. West Agartala, District-West Tripura.

2. Sri Arindam Deb, S/O. Late Ajit Deb, Resident of Ramnagar Road No.1, P.O. Ramnagar, P.S. West Agartala, District-West Tripura.

3. Sri Ratan Patari, S/O. Srimanta Patari, Resident of Ramnagar Road No.1, P.O. Ramnagar, P.S. West Agartala, District-West Tripura.

……. Petitioner(s).

V E R S U S

1. Sri Ratan Sarkar, S/O. Late Rajendra Sarkar, Resident of Ramnagar Road No.4, P.O.-Ramnagar, P.S. West Agartala, District-West Tripura.

2. Sri Badal Kumar Saha, S/O. Late Raj Ballav Saha, Resident of Krishnanagar, Sankar Chowmuhani, P.O.-Agartala, P.S.-West Agartala, District-West Tripura.

…….Respondent(s).

For Petitioner(s) : Mr. Asutosh De, Advocate,
Mr. Rahul Debnath, Advocate.

For Respondent(s) : None.

HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO

Order

05/05/2026

This Revision is filed by the petitioners/defendants challenging the order dt.13.03.2026 of the Civil Judge (Junior Division), Court No.2, Agartala, West Tripura in rejecting their application under Order XVIII Rule 17 of CPC on the pretext of recalling P.W.s 1 and 2 for further re-cross examination.

2. According to the counsel for the petitioners/defendants, certain questions were omitted to put to the P.W.s 1 and 2 and, therefore, they are required to be recalled for further re-cross examination.

3. This application was opposed on the respondent's side by contending that it was filed only to delay the execution of the suit and that after

filing of the suit in 2018, several applications have been filed by the petitioners to delay the proceedings in the suit. It was also pointed out that the present counsel Smt. Swapna Pramanik, engaged by the petitioners, had continuously been on record along with others, who were changed from time to time, and she had full knowledge about the facts and circumstances of the case.

4. The trial Court accepted the contention of the respondents/ plaintiffs and held that the reason assigned for re-cross examination of the P.W.s was not a valid reason and dismissed the said application.

5. In my considered opinion, discretion has been properly exercised by the trial Court in rejecting the prayer of the petitioners for recalling the P.W.s for further re-cross examination and that valid reasons had not been given by the petitioners for the said purpose.

6. Accordingly, the Revision fails and is dismissed. No costs.

Pending application(s), if any, also stands disposed of.

(M.S. RAMACHANDRA RAO, CJ)

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