

30.03.2026
Item No.02 (DL)
Court No.06
AJ.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 54 of 2025

**M/s. Sandeep Construction
-Vs-
Ranjit Singh & Ors.**

Mr. Siddhartha Banerjee,
Mr. Dwaipayan Basu Mullick,
Mr. Subhankar Chakraborty,
Mr. Saptarshi Bhattacharjee,
Ms. Sayani Gupta.
.....for the petitioner.

Mr. Aurin Chakraborty,
Ms. Ruchira Manna.
.....for the opposite parties.

1. This revisional application seeks expeditious disposal of an captioned *“An application under Order 23 Rule 3 read with Section 151 of the Code of Civil Procedure, filed on behalf of the plaintiffs abovenamed”* filed on behalf of the plaintiffs before the learned Civil Judge (Junior Division) Bidhannagar, 24 Parganas (North) in Title Suit No. 177 of 2017.

2. Mr. Banerjee, learned Advocate appearing for the petitioner submits that although the application has been captioned as one under Order 23 Rule 3 of the Code, it would appear from a meaningful reading thereof that the same is actually an application for withdrawal of the suit without leave to file afresh.

3. It is submitted that the said application has been filed by the opposite parties and the same has been pending since April 2024.

4. Mr. Chakraborty, learned Advocate appearing for the opposite parties supports such submission.

5. Having heard the learned Advocates appearing for the respective parties and having considered the material-on-record, this revisional application is disposed of by requesting the learned Civil Judge (Junior Division), Bidhannagar, 24-Parganas (North) to dispose of the aforesaid application filed in Title Suit No. 177 of 2017 as expeditiously as possible and preferably within a period of one month from the date of communication of this order. In case, the relevant Court i.e. the Court of the learned Civil Judge (Junior Division), Bidhannagar, 24-parganas (North) is lying vacant, the learned Judge-in-Charge shall take up such application and dispose of the same in terms of this order.

6. The parties shall be entitled to file an application before the learned Trial Court or the learned Judge-in-Charge, as the case may be, for putting up of the records and disposing of the said application at an early date, in case the date fixed is too far off.

7. It may be recorded that the aforesaid order is being passed in the peculiar facts of the case since it has been submitted by the parties that the application is one for unconditional withdrawal of the suit.

8. Needless to mention that the learned Trial Court shall dispose of the application in accordance with law.

9. It is noticed that the records of Title Suit No. 177 of 2017 had been called for from the learned Trial Court by an order dated January 10, 2025 passed by a co-ordinate Bench of this Court. The said records shall be sent down to the learned Trial Court immediately.

10. The petitioner shall put in the Special Messenger costs for sending the said Trial Court records back to the learned Trial Court within a week from date to expedite the sending down of the Trial Court records.

11. C.O. 54 of 2025 stands disposed of with the above observations. No costs.

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

(Om Narayan Rai, J.)