

23.02.2026
Court No. 06
Item No. 16
Sandip

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

C.O. 789 of 2025

Naba Kumar Manna
-Versus-

Bijay Kumar Mondal & Anr.

Mr. Asit Baran Raut,
Mr. Asit Kr. Chowdhury
.....for the petitioner
Mr. Debdipto Banerjee,
Mr. Udayan Pramanick
....for the opposite parties.

1) The petitioner is aggrieved by the fact that the cross-examination of P.W. 1 was closed. However, it appears from the order dated August 31, 2024, passed by the learned Judge, 4th Bench, Presidency Small Causes Court at Calcutta in Ejectment Suit No. 286 of 2015 that P.W. 1 was recalled and he was examined in chief and also cross-examined by the defendant in full and discharged.

2) Under such circumstances, multiple cross-examination will not be required. It also appears that after the evidence of the P.W. 1 was closed by the order impugned before this Court, the defendant participated in the proceeding and cross-examined the P.W. 2. Under such circumstances, once the P.W. 1 was recalled at the instance of the plaintiffs and the cross-examination was done in full and

P.W 1 was discharged, further cross-examination will not be necessary. This Court has to proceed on the basis of the records and the order passed by the learned trial Judge. The submission from the bar that the order dated August 31, 2024 is erroneous, does not hold any merit as there is no challenge to the order dated August 31, 2024.

3) Accordingly, the revisional application is disposed of.

4) Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Sarkar, J.)