

CO. 885 of 2026

18.03.26
D/L
SI-17
Ct. 06
(Samar)

Chandra Prakash Jhunhunwala
V.
Uni System Pvt. Ltd.

Mr. Rahul Karmakar,
Mr. Soumojit Saha,

... for the petitioner.

1. This revisional application highlights the petitioner's grievance as regards non-payment of a sum of Rs. 21, 56, 105/- (Twenty One lakh Fifty Six Thousand One Hundred Five) along with accrued interest thereon in terms of the orders dated June 12, 2024 and June 15, 2025 passed by the learned Civil Judge, (Senior Division), 2nd Court at Howrah in Title Suit No. 37 of 2012.
2. Mr. Karmakar, learned advocate appearing for the petitioner's submits that the petitioner has instituted Title Suit No. 37 of 2012 for eviction of the opposite party herein and in the said suit the petitioner had filed an application seeking directions for payment of the entire sum thus far deposited by the defendant.
3. Inviting the attention of this court to the order dated June 12, 2024, it has been submitted that upon due verification of the copies of challans pertaining to payment of rents, the learned Trial Court had directed payment of Rs. Rs. 21, 56, 105/- (Twenty One lakh Fifty Six Thousand One

Hundred Five) to the petitioner subject to *“pre-audit by the A.G.W.B of transferring the amount from court deposit.”*

4. He then draws the attention of this Court to an order dated January 15, 2025 and submits that subsequent to the passing of the aforesaid order dated June 12, 2024 certain doubts had arisen as regards the right of the plaintiff/petitioner to receive the said amount. It is submitted that such doubts were however cleared by the order dated January 15, 2025 passed by the learned Trial Court, whereby the learned Trial Court found that payment order was to be issued in the name of the plaintiff/petitioner only.
5. He has then taken this court through the order dated March 19, 2025 passed by the learned Trial Court and submitted that from the said order it will be apparent that Judge in charge accounts, Accounts Department, Civil Courts, Howrah had raised query as regards some *“discrepancy in the name of the depositor of the amounts in respect of certain items of the list of description of deposition of challans”* and a clarification to that effect was sought for by the said Judge in charge. Accounts Department from the learned Trial Court.
6. Mr. Karmakar, submits that such clarification that had been sought for by the said learned Judge in charge, Accounts Department has not yet been

given by the learned Trial Court and payment of the said sum of Rs. 21, 56, 105/- (Twenty One lakh Fifty Six Thousand One Hundred Five) has thus been withheld for no fault of the petitioner.

7. In support of such contention, he has invited the attention of this court to the orders passed subsequent to the order dated March 19, 2025, wherefrom it would appear that the court had taken up other matters pertaining to this suit and the issue as regards providing the requisite clarification apropos the payment to be made to the plaintiff in terms of the orders dated June 12, 2024 and January 15, 2025 has been left unaddressed by the learned Trial Court.
8. In view of the nature of the order proposed to be passed, prior service of notice of the revisional application along with a notice is not being directed, however, the petitioners shall remain obliged to serve a copy of the revisional application along with a copy of this order upon the opposite parties within a week from date.
9. Having heard the learned advocate appearing for the petitioners and having perused the material on record, this revisional application is disposed of by requesting the learned Civil Judge, (Senior Division), 2nd Court at Howrah to provide the requisite clarification sought for by the learned Judge in Charge Accounts Department, Civil Court,

Howrah as indicated by the learned Trial Court in the order dated March 19, 2025 passed in Title Suit No. 37 of 2012, as expeditiously as possible and preferably within a period of two months from the next date fixed. The learned Trial Court is requested to ensure that orders for payment passed by the learned Trial Court are not left unattended and rendered fruitless due to non-supply of the requisite clarification as sought for by the learned Judge in Charge, Accounts Department as recorded by the learned Trial Court in its order dated March 19, 2025.

10. CO 885 of 2026 stands disposed of with the above observations. No Costs.
11. 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.)