

06.04.2026
Item No.143
Ct. No. 30
Aloke

CO 3051 of 2022

Suman Basu & Anr.
Vs
Ashima Mukherjee & Ors.

Mr. Tarak Nath Halder

... for the petitioners

Mr. Qam Firoz

Mr. Arun Shaw

Ms. Torsa Mir Bahar

... for the respondents

1. The revisional application has been preferred challenging an order dated July 27, 2022 passed by the learned Civil Judge (Junior Division), 3rd Court, Basirhat, District-North 24 Parganas, in Misc. Case No. 3 of 2015, arising out of Title Execution Case No. 4 of 2013.
2. Vide the impugned order the trial Court rejected the judgment-debtor's application under Section 152 read with Section 151 of the CPC, praying for amendment in the application of the Misc. Case under Section 47 of the CPC. Admittedly, the suit was decreed against the judgment/debtor/petitioner herein. An appeal was also dismissed and a second appeal was also dismissed.
3. The petitioner has now sought to amend the application in the Misc. Case seeking to declare the said decree as nullity. A decree

which has been affirmed till the stage of second appeal. The basis for such amendment is that certain averments were made before the police authorities during a hearing.

4. The trial Court found no substance in the case of the petitioner herein.
5. It appears that the trial Court has rightly passed the impugned order which is in accordance with law and the said order calls for no interference.
6. The civil revision stands dismissed.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)