

27.02.2026
SL No.28
Court No.6
(gc)

CO 3504 of 2025

**Sri Alope Kumar Tewari & Ors.
Vs.
Sri Asit Kumar Tewari & Ors.**

Mr. Bhudeb Chatterjee

.....for the Petitioners.

Mr. Sukanta Chakraborty,
Mr. Anindya Halder

...for the Opposite Parties Nos.1 to 5.

1. The petitioners are aggrieved by the order dated September 6, 2025 passed by the learned Civil Judge, Senior Division, Additional Court at Purulia. By the order impugned, the learned Court, did not hear an application under Section 47 of the Code of Civil Procedure, on the ground that the same was not registered as a misc. case, and directed delivery of possession by appointing an Advocate Commissioner.
2. In my view, it was open to the Court to register the application under Section 47 of the Code of Civil Procedure as a misc. case and proceed to hear out the same.
3. Under such circumstances, the order impugned is modified accordingly.
4. The delivery of possession shall be kept in abeyance for a period of three months from date or until further order whichever is earlier. The learned Civil Judge, Senior Division, Additional Court at Purulia will decide

the application under Section 47 of the Code of Civil Procedure, which is pending before the learned Court, within the period of three months.

5. Accordingly, the revisional application is disposed of.
6. There shall be no order as to costs.
7. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)