

20.05.2026
Ct. No.6
Sl. No.4
skg

C.O. 4175 of 2025
Debi Sarkar
Vs.
Sudarshan Nandi & Ors.

Mr. Ayanava Bhattacharya,

...for the Petitioner

1. This revisional application assails an order dated March 28, 2025 passed by the learned Civil Judge (Jr. Div.) 1st Court, Serampore, Hooghly in Title Suit no. 520 of 2015 whereby the petitioner's application under Section 94(c) of the Code of Civil Procedure, 1908 has been rejected.
2. It is well settled that an order passed under Section 94(c) is actually an order passed in terms of Order 39 rules 1 and 2 of the Code which is appealable under Order 43 Rule 1(r) of the Code.
3. In such view of the matter C.O. 4175 of 2025 is not maintainable. The same is therefore dismissed.
4. However, this order shall not prevent the petitioner from preferring appeal against such order in accordance with law.
5. The petitioner shall be entitled to take back the certified copy of the order impugned upon furnishing of Photostat copy thereof duly countersigned by the learned Advocate on record for the petitioner.

(Om Narayan Rai, J.)