

Misc. Appeal No.48 of 2025

Present : Biswarup Bandyopadhyay, Chief Judge  
Order No.3, dated 28.11.2025:

Appellant files hazira along with an application praying for extension of the interim order passed on 21.11.2025 by this Ld. Court. Appellant also files an application praying for direction upon the respondent to serve the copy of documents i.e. Deed of Lease dated 18.08.2021, Estate Unit Master Details, Copy of Postal receipt and Track consignment and also prays for sometime to file rejoinder on the grounds stated therein. Let those be kept with the record.

Respondent files affidavit in opposition to the application under Section 5 of the Limitation Act and stay application. Let it be kept with the record.

Today is fixed for hearing of application under Section 5 of the Limitation Act along with application for stay, objection, if any, in the meantime.

The case is taken up for hearing of application for condonation of delay.

Heard the Ld. Counsels for the parties.

On perusal of the case record it appears that the impugned order was passed on 17.10.2025 and the instant appeal has been filed on 19.11.2025 after the same was communicated to the appellant on 18.11.2025. As such, there is no delay in filing the instant appeal.

The appeal stands admitted accordingly.

So far as the application for stay, no sufficient documents for determination of occupation charges of the suit property have been filed or submitted by either of the parties. Accordingly, both parties are directed to submit documents regarding determination of occupation charge of the suit premises at the current market value/rate of the locale by the next date.

Let the T.C.R be called.

Fix 10.12.2025 for awaiting T.C.R/hearing of stay petition and application dated 28.11.2025 filed by the appellant.

Ad-interim order be extended till the next date.

Dictated & corrected by me,

Chief Judge.

Chief Judge,  
City Civil Court, Calcutta.