

EJECTMENT SUIT NO. :- 452 OF 2015
(CNR No. WBPS01-001159-2015)
(JO CODE No. WB01165)

Before Smt. P. Shukla, Ld. Judge, 2nd Bench.

Order no. - 121

Dt. 13.08.2025

Today is fixed for further cross-examination of P.W-1.

Both parties filed hazira.

Heard the petition of defendant under Section 151 of CPC dated 13.08.2025.

Ld. Advocate for defendant prays to stay the further proceeding of the instant suit on the ground that he has filed revisional application before Hon'ble High Court at Calcutta as C.O. 1881 of 2024 against the order no. 111 dated 20.01.2024 and in Misc. Case 185 of 2019.

He referred the two judgments - (i) ***AIR 2007 Cal 195*** and (ii) ***(2007) 2 Mh. L.J. 481*** and also filed the copy of order dated 06.05.2025 in C.O. 1881 of 2024.

Plaintiff raised strong objection.

Heard. Considered.

Perused the case record, it appears that suit is at the stage of cross-examination of P.W-1 and it is settled principle that unless and until there is no specific stay order, then there is no need to stay the further proceeding of the suit. By order dated 06.05.2025 Hon'ble High Court also declined to pass any interim order.

Court is of the view that if trial proceeds, the defendant should not be harmed.

Thus, the instant petition is rejected on contest.

To 06.11.2025 for further cross-examination of P.W-1 positively.

D/C by me.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.