

21 27.03.2026
NB Ct. 06

In The High Court At Calcutta
Civil Revisional Jurisdiction

CO 1082 of 2026

Board of Major Port Authority for Syama
Prasad Mookerjee Port, Kolkata.
Vs.
Estate Benimadhab Dutta & Ors.

Mr. Subhankar Nag,
Mr. Snehashis Sen,
Mr. Adipta Kr. Pandit,
Mr. Debdatta Mukhopadhyay.
...for the petitioner.

1. This revisional application is directed against an order dated March 13, 2026 passed by the learned District Judge in Charge at Alipore, South 24 Parganas in P.P. Appeal No.10 of 2026 whereby an application under Section 151 of the Code of Civil Procedure filed by the opposite parties has been disposed of.
2. Mr. Nag, learned advocate appearing for the petitioner submits that the learned Appellate Court has disposed of the application under Section 151 on the same day on which it was filed without affording the petitioner an opportunity to deal with the same and to use written objection thereto. It is submitted that the petitioner did not get any opportunity to rebut the allegations levelled against the petitioner in the said application under Section 151 of the Code of Civil Procedure.
3. Having heard the learned advocate appearing for the petitioner and having perused the material on record, this Court is prima facie satisfied that the application under Section 151 of the Code of Civil Procedure ought not to have been disposed of

by the learned Appellate Court on the same day on which it was filed without affording the petitioner an opportunity to traverse the same. In such view of the matter, the learned Appellate Court shall adjourn the proceedings scheduled to be held on March 31, 2026 to a date later than the date on which this revisional application is made returnable.

4. The petitioner shall serve a copy of the revisional application along with notice on the opposite party as well as the learned advocate appearing for the opposite parties before the learned Appellate Court intimating them that the matter shall be taken up next on April 08, 2026.

(Om Narayan Rai, J.)