

N.22S1  
151/CL

**CO 1312 of 2026**

**Mukhtar Alam**

**v.**

**Shakil Ahmed & Anr.**

04.05.26  
ML-57  
Ct-06  
(S.R.)

Mr. Anirban Roy  
Mr. Souvendu Sarkar ... for the petitioner.

1. This revisional application assails an order dated November 19, 2025 passed by the learned Judge, Bench – XIII, City Civil Court, Calcutta in Title Appeal No.03 of 2021 whereby the petitioner's application under Section 45 of the Evidence Act has been disposed of by directing the Branch Manager of the Indian Overseas Bank, Prat Memorial Branch to inform the Court as to whether Sogra Khatoon i.e. (mother of the petitioner) had any account with the said bank at the said branch at any point of time and to furnish documents containing the signatures of Sogra Khatoon. By the said order, the petitioner has also been directed to produce the passport of Sogra Khatoon containing her signature.
2. Mr. Roy, learned advocate appearing for the petitioner submits that the directions contained in the order impugned suffer from jurisdictional error inasmuch as the documents that have been called for by the learned Appellate Court are neither part of the learned Trial Court's records nor exhibits. It

is further submitted that it is settled law that for the purpose of assessing the genuineness of a signature comparison has to be made with signatures on admitted documents.

3. The petitioner shall serve a copy of the revisional application along with notice on the opposite parties intimating them that the matter shall be taken up next on June 9, 2026.

**(Om Narayan Rai, J.)**