

08.04.2026
Item No.25
Ct. No. 30
Aloke

CO 2296 of 2024
with
CAN 4 of 2026

Moni Sankar Sadhukhan
Vs.
Goutam Khetri & Anr.

Mr. Prosenjit Mukherjee
Mr. Arghya Kamal Das
..for the petitioner/applicant

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred against orders dated 16.03.2024 and 30.04.2024 being Order No. 99, passed by the learned Civil Judge (Junior Division), Additional Court, Hooghly, in Title Suit No. 38 of 2015.
3. Vide the impugned order dated 16.03.2024, the learned trial Court allowed the plaintiff/opposite party's prayer for formal rectification of the cause title of the plaint by way of amendment.
4. It appears that it is **only the cause title** which has been rectified and as such this Court finds no reason to interfere with the said order passed by the learned trial Court, as the same is in accordance with law, causing no prejudice to the petitioner herein.
5. Vide the impugned order dated 30.04.2024, the learned trial Court considering the conduct of the defendant/petitioner herein expunged the evidence of D.W. 2 as the said D.W. 2 was not

present for being cross-examined in spite of repeated directions and also imposition of costs.

6. Being aggrieved, the present revision has been preferred.

7. Accordingly, considering the said facts and the materials on record and in the interest of justice, the impugned order dated 30.04.2024, is hereby set aside.

8. The evidence of D.W 2 be restored to records and the matter be fixed for further examination of D.W. 2 on 12th May, 2026 before the trial Court.

9. Both parties are directed to be present on the said date and trial Court shall proceed in accordance with law, without granting any unnecessary adjournment to either sides.

10. Civil revision stands disposed of.

11. Connected application, if any, stands disposed of.

12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)