

22.05.2026
Ct No.2
D/L 1
Mujahid

CO 3169 of 2023

Smt. Sabita Basu (Mondal)
Vs.
Sri Dipak Kumar Mondal & Ors.

Mr. Nirmalendu Bera, Sr. Adv.
Mr. Gora Chanda Samanta
Ms. Gopa Das

...for the petitioner

Mr. Sounak Bhattacharya
Ms. Bipasha Bhattacharyya

...for the opposite parties

1. Present revision petition has been filed challenging the order dated 10th August, 2023 whereby the application filed by the petitioner under Section 151 CPC, was rejected.

2. Learned counsel for the petitioner submits that the impugned order is totally cryptic and does not give any reason.

3. At the outset, the order dated 10th August, 2023 passed by the learned Civil Judge, 2nd Court, Sr. Division, Baruipur cannot sustain in the eyes of law as it is bereft of any reason. The reasons are the lifeline in any judicial order. The Judicial Officer is expected to give reason for the decision in the judicial proceedings. The present order is a classic example

which reflects the total non application of mind and the passing of mechanical orders. Such orders have to be discouraged. The order dated 10th August, 2023 is set aside. The matter is remanded back to the learned trial court with direction to consider the application under Section 151 CPC of the plaintiff/petitioner afresh and decide the same in accordance with the law after giving the parties an opportunity of being heard.

4. CO 3169 of 2023 stands disposed of.

5. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)