

Court No. 6
(265719)

18.09.2025
(AD 25)
(S. Banerjee)

CO 3467 of 2025

Minoti Das & Ors.
Vs.
Biswajit Burman

Mr. Tanmoy Mukherjee
Mr. Anirban Saha Ray

...for the petitioners

Mr. Mukherjee, learned advocate appearing for the petitioners submits that an ex parte decree cannot be set aside merely by imposition of cost in the absence of just and reasonable cause being pleaded and proved.

Petitioners are directed to serve a copy of this application upon the opposite party by registered speed post with acknowledgement due and file an affidavit of service on the next date.

By the order impugned, the ex parte decree was set aside and the Ejectment Suit was restored to its original file and number.

In view thereof, there shall be an order of stay of all further proceedings in Ejectment Suit No. 440 of 2017 pending before the learned Judge 4th Court,

Presidency Small Causes Court at Calcutta till the disposal of the civil revision application.

List this matter under the heading 'Contested Application' after twelve weeks.

(Hiranmay Bhattacharyya, J.)