

10.04.2026
Sl. 8
Subadip
Ct.No.-4

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

**CO 38 of 2023
With
CAN 1 of 2025
With
CAN 2 of 2025
With
CAN 3 of 2025
With
CAN 4 of 2025**

**Krishna Roy Sarkar @ Laha & Anr.
Vs.
Sanjoy Roy Sarkar & Ors.**

Mr. Mayank Bhandari,
Mr. Vivek Saha,
Mr. Binayak Bandopadhyay.
.....for the petitioner no. 1

Mr. Nabankur Paul,
Mr. Taniya Bhowmik.

...for the opposite party no.1

1. Petitioner No. 1 is represented by the learned Advocate.

2. The learned Advocate appearing on behalf of the opposite party No. 1 is also present before this Court.

3. This revisional application has been preferred assailing the order dated 24.03.2023 passed by the learned Trial Court, whereby the application filed by the defendant Nos. 1, 2 and 3 under Order IX Rule 7 of the Code of Civil Procedure was rejected. The said order is

under challenge in the present application at the instance of the defendants, namely, petitioner Nos. 1 and 2.

4. It is submitted on behalf of the petitioners that subsequently an application being CAN 4 of 2025 has been taken out, inter alia, praying for transposition of petitioner No. 2 as an opposite party in the present proceeding. It is further submitted that the said application is still pending consideration and has not yet been adjudicated upon by this Court.

5. Learned Advocate for the petitioners further submits that service of notice has been effected upon all the respondents, save and except petitioner No. 2.

6. In such circumstances, petitioner No. 1 is directed to comply with the directions earlier passed by this Court on 24.02.2026 within four days from this date.

7. Let the matter appear in the list on 16.04.2026.

(Prasenjit Biswas, J.)