

IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE

CS/144/2024

RATNA CHOWDHURY AND ORS.  
VS.  
DIBYENDU CHOWDHURY

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 10<sup>th</sup> April, 2026

Appearance:

Mr. Munshi Ashiq Elahi, Adv.

. . .for the plaintiffs.

The Court : The plaintiffs are represented in the second call. No one appears to represent the defendant.

It is submitted by the plaintiffs that this is a partition suit where a preliminary decree has been passed. The suit is appearing in the monthly list under the heading 'Undefended Suit' after it had appeared in the warning list. The plaintiffs say that they have not taken any step for the suit being placed in the warning list or in the monthly list before this Bench.

However, records reveal that Mr. Munshi Ashiq Elahi, learned Advocate representing the plaintiffs has written a letter to the learned Registrar, Original Side of this Court on 31<sup>st</sup> July, 2025 for the suit being placed under the heading 'Undefended Suit'. The department on the basis of such letter as appears from the record had placed the suit in the warning list and thereafter in the monthly list before this

Bench.

Learned Advocate for the plaintiff seeks an adjournment. The witness is also not present.

In the aforesaid facts and circumstances, the suit is directed to go out of the list with liberty to the plaintiffs to mention the suit after 31<sup>st</sup> December, 2026.

(ARINDAM MUKHERJEE, J.)

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