
Smti. S.Vijaya

$$V_S$$

Smti. Ram Kumari and Another

Mr. Gopala Binnu Kumar ... for the petitioner

October 31, 2025
[AKB]
Item No.4

Mr. Gopala Binnu Kumar, the learned advocate submitted to have filed the instant application being aggrieved by the order dated 26.08.2025 passed by the Civil Judge Senior Division in Title Suit No. 149 of 2011 whereby the learned Civil Judge had recorded the submission of the learned advocate representing the applicant therein in erroneous context.

The suit in question had been filed seeking permanent injunction preventing the defendants from interfering with the possession of the disputed land contrary to encroachment as opined by the aforesaid Civil Judge, since the suit had been filed seeking permanent injunction and not recovery of possession.

It was further submitted that an application under Order 6 Rule 17 of the Code of Civil Procedure had been filed by the respondents herein and not by the petitioner, which had been erroneously considered by the Civil Judge as aforesaid while pronouncing the order impugned.

Under such factual matrix let the instant revisional application be admitted.

Notice to be served upon the respondent intimating the date of hearing.

Further proceedings pending before the Trial Court be stayed till 19.12.2025.

Next date be fixed on 19.12.2025.

(Ananya Bandyopadhyay, J.)