

**HIGH COURT OF TRIPURA
AGARTALA**

CRP No.103/2018

Sri Chitta Ranjan Shil

-----Petitioner(s)

Versus

Sri Santosh Sengupta & others

-----Respondent(s)

For Petitioner(s) : Mr. Debalay Bhattacharjee, Advocate,
Mr. Samar Das, Advocate.

For Respondent(s) : Mr. Nitai Choudhury, Advocate.

HON'BLE THE CHIEF JUSTICE MR. SANJAY KAROL

Order

28/03/2019

In the instant case, petitioner has assailed the order dated 29.09.2018 passed by learned Civil Judge (Sr. Division), West Tripura, Agartala, (Court No.1), in case No. T.S. 105/2016, titled as *Sri Santosh Sengupta & others vs. Sri Chitta Ranjan Shil*.

Record reveals that while passing the said order, closing the evidence of the petitioner herein, application for adjournment/exemption so filed by the petitioner was neither referred to nor considered.

As such, on this short ground alone, present revision petition is disposed of on the following terms:

- (a) Impugned order dated 29.09.2018 passed by learned Civil Judge (Sr. Division), West Tripura, Agartala, (Court No.1), in case No. T.S. 105/2016, titled as *Sri Santosh Sengupta & others vs. Sri Chitta Ranjan Shil*, is quashed and set aside and the matter is remanded back to the trial Court for consideration afresh;

- (b) Parties undertake to appear before the trial Court on **30th April, 2019** when a date shall be fixed by the trial Court enabling the petitioner to lead evidence by producing his witnesses, if so required and desired;
- (c) It is clarified that no further opportunity shall be afforded to the petitioner for such purpose;
- (d) Parties undertake to fully cooperate and not take any unnecessary adjournments;
- (e) Save and except, for official witnesses, at his own cost and responsibility, petitioner shall produce his entire evidence on such date as may be fixed by the trial Court;
- (f) Hearing is expedited and it is expected of the trial Court to decide the matter within a period of three months;
- (g) The Registry is directed to '*forthwith*' remit the records to the trial Court along with a copy of the order;
- (h) This Court has not expressed any opinion on merits of the case;

Pending application(s), if any, also stands disposed of.

(SANJAY KAROL), CJ