

COURT OF CIVIL JUDGE (Senior Division)  
Barsoi, Katihar  
Title Suit No. 08/2022

Md. Manowar Alam.....Plaintiff.

Vrs.

Md. Salimur Rahman.....Defendant.

Date of Order of Proceeding	Order with the Signature of the Court	Office action taken with date
05.04.2025	<p style="text-align: center;">Attendance has been filed on behalf of plaintiff &amp; defendant through the Ld. counsel. The case has been posted for order after hearing the Ld. Counsels of both sides on petition dated 23.08.2023 filed on behalf of plaintiff U/O I Rule 10(2) of C.P.C. to which rejoinder dated 16.06.2023 has been filed by the defendants.</p> <p style="text-align: center;">Perused the record. The case of the plaintiff in short is that during the pendency of the suit part of suit land has been sold by Md. Fazlur Rahman and Salim Chaudhary to Sahjad and as such they be made party in this case. Neither of the two vendors are plaintiff in this suit from before. The case of the defendant in short is that it is admitted by them that the said sale of land to Sahjad had taken place by the brothers of the defendant Fazlur Rahman and defendant jointly and this petition has been filed with intention to harass the defendant as well as his family members.</p> <p style="text-align: center;">Since the sale has taken place during the pendency of the suit the effect of principle of <i>pendente lite / lis pendens</i> would have on any subsequent sale-deed executed in relation to the suit land whether it has been executed by the people contesting the suit or others. There is no necessity to make the other people defendant in this case as prayed by the plaintiff as such the petition of the plaintiff is dismissed.</p> <p style="text-align: center;">Plaintiff is directed to proceed with the case at</p>	

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a proper speed and get the suit adjudicated because the suit is pending at the stage of first hearing. Put the record for first hearing on 14.05.2025 with direction to both parties to file their documents positively by next date.

Dictated

Civil Judge (Sr. Div.)