

TS 29 of 2017
CIS No. 314 of 2017

Order No. 55
dated 09.07.2026

Today is fixed for delivery of Judgment.

Plaintiff files hajira.

Issues are re-caste in a separate sheets and kept with the record.

The Judgment is ready today and duly signed, sealed and pronounced in open court in the presence of Ld. Counsels.

The Judgment containing 14 separate sheets printed in both sides, do form part of the record.

Hence, it is

ORDERED

that the suit be and the same is hereby decreed in preliminary form.

It is hereby declared that the plaintiffs and defendant No 1 are entitled to get $\frac{1}{3}^{\text{rd}}$ share each in the A and A-1 schedule suit properties and $\frac{1}{4}^{\text{th}}$ share each in B and C schedule suit properties and rest defendants i.e. defendant Nos. 2 to 4 are jointly entitled to get $\frac{1}{4}^{\text{th}}$ share in B and C schedule suit properties.

The parties to the suit are hereby directed to get the suit properties (schedule A, A-1, B & C) partitioned amicably by metes and bounds amongst themselves within 90 days from this date. Failing which any of the parties may apply for final decree for effecting partition of the suit property by appointing a Partition Commissioner/ Advocate Commissioner as per Law. If such petition for final decree is filed and final decree is passed by the Court, the Partition Commissioner shall make partition of the suit properties in accordance with the principles of the partition, mainly, the balance of convenience and inconvenience and present possession of the parties to the suit and compactness of allotments as far as possible and practicable.

The Office to draw up the preliminary decree, accordingly, as per Law and procedure and also to note down the result in the Register.

All the interim orders, if any, stands vacated.

Parties shall bear their own costs.

Up date in CIS.

Dictated & corrected by me

Sd/- Rinjee Doma Lama

Civil Judge (Sr. Divn) Burdwan
J.O. Code – WB 01040

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