

T.S.29-2010

Order No. 89, Dt.08.03.2019.

Today is fixed for filing W/O , bringing stay order, filing update information i.d. Amin's report will be accepted.

Defendant No.1 to 4, 6 & 8 files lawyers hazira.

Plaintiff again files a petition praying for time stating that the plaintiff is lying ill and could not contact her lawyer.

Ld Counsels of both sides are present.

Heard both sides .

Ld Counsel for the defendants submitted that this case is pending for acceptance of Amin's report since 20.11.2017.

Ld Counsel for the defendants submitted that the plaintiff has not filed any update information till date or stay order from the Hon'ble High Court and he prays for acceptance of Amin's report.

Ld Counsel for the plaintiff submitted that the plaintiff is lying ill and he be given an opportunity of filing W/O and bringing stay order. However, he admitted that he has not filed uptodate information from the Hon'ble Court. He also failed to throw any light on the pending of the appeal before the Hon'ble High Court.

Considered.

Perused the instant case record and all the materials therein.

This Court finds that this record is pending for drawing up of final decree since 20.11.2017..

Plaintiff has not filed any uptodate information till date.

On having gone through the C.I.S system of the Hon'ble High Court, the plaintiff's information of F.A.T No.47/2018 does not show any information on the website.

Ld Counsel for the plaintiff also failed to throw any light on the appeal pending before the Hon'ble Court and admitted that he did not file any order of update information till date.

Thus in view of the order passed on 8.2.2019 and the long pendency of the suit and the plaintiff having failed to provide the update information before this Court till date and there being no stay order, this Court finds no scope to allow the prayer for further time and the petition for time stands rejected.

Similarly, in view of the order dated 8.2.2019, the Amin's report be accepted.

Let the report made part of the final decree.

The case is thus disposed of.

Dict. & corrected

Sd/ H. Sundas

Civil Judge (Sr. Divn)

Sadar ,Cooch Behar.

Sd/ H. Sundas

Civil Judge (Senior Division),

Sadar ,Cooch Behar.