

Mat Suit No. 46 of 2022
CNR No.:WBSP03-002166-2022
Present : Sri Indranil Mitra, Civil Judge (Junior Division), 2nd Court, Alipore,
South 24-Parganas
JO Code :WB-01502

Order No. 13
Dated 21.01.2025

Today is fixed for hearing on the point of maintainability.

Both parties filed hazira.

The record is taken up for hearing.

Heard both the Ld. Advocates in full.

Perused the record.

It appears from the record that the suit was fixed for hearing on the point of maintainability on the verbal submissions of the Ld. Advocates. There is no petition in this respect. However, after hearing both sides, this Court is of the opinion that the point of maintainability cannot be decided fairly at this stage without evidence being recorded. However, this Court is of the humble opinion that the point of maintainability be framed as an issue in this suit and the same be decided at the time of final disposal of the suit.

In view of the above observation, the point of maintainability is to be decided at the time of disposing of the suit finally by delivery and pronouncement of judgment.

The suit be proceeded with in accordance with law.

Fix **28.01.2025** for framing of issues.

D/C by me,

Sd/-

CJ(Jr. Divn.), 2nd Court, Alipore
South 24 Parganas

Sd/-

CJ(Jr. Divn.), 2nd Court, Alipore
South 24 Parganas