

IN THE COURT OF DISTRICT JUDGE, PURBA BARDHAMAN

Present: Shri Sujay Sengupta (WB00650),
District Judge, Purba Bardhaman

Title Appeal No.19 of 2022
(CNR –WBBD01-003025-2022)

Goutam Nandi Vs Ajit Kumar Nag & Ors.

Order No.11, dated 13.07.2023.

Both sides file hajira.

Rectified certified copy of the impugned judgment and order received on 12.07.2023.

The application of the defendant/appellant filed on 11.05.2023 under Order 11 Rule 1 of the C.P.C. is taken up for hearing and order.

Plaintiffs/respondents filed a written objection.

Heard both sides.

In regard to the interrogatories nos.1 and 2, Learned Advocate for the defendant/appellant submits that those have been complied with.

In regard to the interrogatory no.3, it is submitted that the death of the plaintiff/respondent no.3 Arati Nag has not been noted or substituted in the cause title. To this effect, the Learned Advocate for the plaintiffs/respondents submits that the respondent no.4,5, and 6 are already on record and to that effect the prayer has already been allowed by this Court.

In regard to the interrogatories nos.4 and 5, it is submitted by the Learned advocate for the plaintiffs/respondents that the whereabouts of the said two respondents are not within the knowledge of the other plaintiffs/respondents. It is submitted further that in case their names are expunged from the cause title, nothing would be hampered as it is a case of eviction.

Considering the facts and circumstances, the said interrogatories nos.4 and 5 are also disposed of.

Let the names of the respondent nos.1 and 11 be expunged from the cause title of the Memo. of Appeal. Amend the cause title and register it accordingly.

To 14.08.2023 for filing amended copy of the Memo. of Appeal and hearing on the limitation matter along with stay petition.

On prayer of the Learned Advocate for the plaintiffs/respondent, the Certified Copy of the judgment and decree, as filed by them, be returned to him on proper endorsement in the record.

Dictated & corrected by me

Sd/-
District Judge,
Purba Bardhaman

Sd/-
District Judge,
Purba Bardhaman