

Title Suit No. 25 of 2022

CIS No. 27 of 2022

CNR No. WBBK07-000112-2022

Present : Sri Tanumoy Karmakar (J.O. Code: WB01209)

Order no. 32

Dated 12-11-2024

Today is fixed for order in respect of petition filed under Section 151 of the CPC and hearing of the petition filed under Order 6 Rule 17 of the CPC.

Memorandum of appearance filed by the plaintiff and the defendant no.1, 10, 12, 13, 15, 16, 17, 20 & 29.

Ld. Counsel for the defendants filed one adjournment petition on the ground stated therein.

The adjournment petition is considered and allowed.

On careful scrutiny of the case record it appears that the instant suit has been filed for declaration and partition and four Govt. Officials were made as principal defendants in this case.

It is also pertinent to mention here that no notice under Section 80 of the CPC was served to the Govt. Officials after the filing of this suit. Even no leave was taken from this Court by the plaintiff for filing this instant suit for non-service of notice under Section 80 of the CPC.

So, it is very clear that the suit is not maintainable in accordance with the provisions as mentioned above.

Accordingly, one preliminary issue is framed on a separate sheet.

Fix **25-11-2024** for hearing upon the preliminarily issues.

Dictated & Corrected by me.

Civil Judge (Sr. Divn.), Bishnupur

Civil Judge (Sr. Divn.), Bishnupur