

Title Suit 1188 of 2018 CNR:WBCC01-004444-2018  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)  
**Order no. 15 dated 15.03.2021**

Today is fixed for P. Hearing of the suit.

The plaintiffs have filed a petition u/o 22 rule 4 C.P.C. Copy served.

Ld. advocate for the defendant no. 1 has filed one death report alongwith xerox copy of death certificate.

Ld. advocate for the plaintiffs and the defendant no. 1 are present.

Ld. Counsel for the plaintiffs submits that the defendant no. 1 Dinesh Chandra Saha died on 22.01.2021 leaving behind 1(a) Kohely Saha- wife, 1(b) Hillol Saha-son and 1(c) Hindol Saha as legal heir and representative.

Heard Ld. Counsel for the plaintiffs on the petition u/o 22 rule 4 C.P.C.

Perused.

Petition is filed within time and right to be sued survives on the death of the deceased defendant no. 1.

Considered.

Prayer is allowed.

1(a) Kohely Saha- wife, 1(b) Hillol Saha-son and 1(c) Hindol Saha be substituted as legal heirs and representatives in place of deceased defendant no. 1.

Bench clerk to note in cause title of the plaint and relevant register.

Petn. U/o 22 rule 4 c.p.c. is thus disposed of.

Fix 26.04.2021 for for filing amended plaint .

Dictated & corrected by me.

Sd/-  
Judge

Sd/-  
Judge

M.A.C.C. 193 of 2017 CNR:WBCC01-002859-2017  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 24 dated 15.03.2021**

Today is fixed for further hearing of the case.

The petitioner has filed a hazira and is present

O.P. no. 2 has filed a petition praying for an adjournment on the ground state there in.

Ld. advocate for the petitioner has seen the petition and raised strong objection.

Prayer is considered and allowed.

Adjourned to 01.04.2021 for O.P2.W's evidence in default argument.

Sd/-  
Judge

Title Suit 376 of 2017 CNR:WBCC01-001632-2017  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)  
Order no. 28 dated 15.03.2021

Today is fixed for further hearing of the suit.

The plaintiff has filed a hazira and is present in person.

Ld. advocate for the proforma defendants has filed a hazira and is present.

The plaintiff submits that his Ld. Advocate Smt. Rina Bose is reluctant to conduct the case on his behalf and she has also informed the D.L.S.A, Kolkata.

No report as above has been received from D.L.S.A, Kolkata. Accordingly, Secretary, D.L.S.A, Kolkata is requested to submit a report in the above context. Fix 07.04.2021 for order awaiting the report from the Secretary, D.L.S.A, Kolkata.

Let a copy of this order be sent to the Secretary, D.L.S.A, Kolkata for information and necessary steps.

Sd/-  
Judge

Title Suit 143 of 2012 CNR:WBCC01-000400-2012

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

Order no. 51 dated 15.03.2021

Today is fixed for fixed for further hearing of the suit.

The plaintiff has filed a hazira and is present.

The defendant nos. 1,2,3, 5 and 6 have filed a petition u/s 151 C.P.C. Copy served.

The defendant nos. 1,2,3, 5 and 6 have filed a petition alongwith one money receipt showing payment of Rs. 10,000/- to the plaintiff in compliance with order dated 10.12.2019 praying for take up instant suit from peremptory board on the ground stated there in. Copy served.

Heard both sides on the point of acceptance of amended written statement.

Amended written statement filed by the defendant nos. 1,2,3, 5 and 6 on 21.12.2019 is accepted.

Fix 30.04.2021 for D.W's evidence. To date for hearing petition u/s 151 C.P.C.

Written objection if any to be filed in the mean time.

Sd/-  
Judge

Mise Appeal 8 of 2016 CNR:WBCC01-008692-2016  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 36 dated 15.03.2021**

Today is fixed for hearing Mise Appeal.

The appellant has filed a petition u/s 151 C.P.C. Copy not served but filed herewith.

The appellant has also filed a petition praying for hearing the petition u/s 151 C.P.C. first before hearing of the instat Appeal. Copy not served but filed herewith.

The respondent has not taken any steps and found absent on repeated outside calls till 12.00 noon.

Fix 31.03.2021 for hearing Mise Appeal. To date for hearing the petition u/s 151 C.P.C. Written objection if any. The appellant is directed to serve the copy of petition to the respondent at once.

Sd/-  
Judge

Money Suit 9 of 2007 CNR:WBCC01-000019-2007  
Present:Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 73 dated 15.03.2021**

Today is fixed for hearing argument.

The plaintiff and the defendant no. 1 have filed haziras and are present.

Heard argument on behalf of the defendant no. 1 and the plaintiff at length.

Fix 08.04.2021 for judgement.

Sd/-  
Judge

Title Suit 499 of 2020 CNR:WBCC01-001706-2020  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 7 dated 15.03.2021**

Today is fixed for hearing injunction application.

The plaintiff has filed a petition praying for extension of ad-interim order of injunction.

The defendant no. 2 has filed written statement. Copy served.

Ld. advocate for the plaintiff and the defendant no. 2 have filed haziras and are present.

Ld. advocate for the plaintiff raises no objection on the acceptance of written statement filed by the defendant no. 2.

so, written statement is accepted.

S/R and A/D upon defendant nos. 1 and 3 not yet returned.

To 21.04.2021 for S/R and A/D upon defendant nos. 1 and 3.

let ad-interim order of injunction be extended till date.

Sd/-  
Judge

Money Suit 607 of 2011 CNR:WBCC01-001924-2011  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 39 dated. 15.03.2021**

Today is fixed for hearing petition u/o 5 rule 20 C.P.C.

The plaintiff has filed a hazira and is present.

The plaintiff has made an endorsement "Not pressed" on the petition u/o 5 rule 20 C.P.C. and the same is rejected being not pressed. At this stage, the plaintiff has filed a petition alongwith requisites praying for issuance of summons upon defendant nos. 1,2 and 3 through speed post with A/D.

Prayer is considered and allowed.

Issue summons in both the manner.

Fix 17.05.2021 for S/R and A/D

Sd/-  
Judge

M.A.C.C. 693 of 2017 CNR:WBCC01-008607-2017

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 15 dated 15.03.2021**

Today is fixed for hearing petition u/o 7 rule 11 C.P.C.

The petitioner has filed a petition praying for an adjournment on the ground stated there in.

O.P. no. 2 has filed a hazira and is present.

Ld. Advocate for the petitioner is found absent on repeated calls till 3.00 P.M. prayer is considered and allowed.

Adjourned to 20.05.2021 for hearing petition u/o 7 rule 11 C.P.C. in default necessary order will be passed.

Sd/-  
Judge

Title Suit 1232 of 2019 CNR:WBCC01-004486-2019  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 8 dated 15.03.2021**

Today is fixed for hearing petition u/o 12 rule 6 Section 151 C.P.C.

The plaintiff has filed a hazira and is present.

The defendant no. 2 has filed a petition praying for time for filing written objection to the petition u/o 12 rule 6 Section 151 C.P.C. on the ground stated there in.

Heard the submission of Ld. Advocate for the plaintiff and the defendant no. 2. perused the record. It appears that service of summons upon defendant nos. 1,3 and 4 has not been exhausted.

So, fixing 27.04.2021 for taking steps upon defendant nos. 1,3 and 4 by the plaintiff.

Sd/-  
Judge

Title Suit 2540 of 2019 CNR:WBCC01-006796-2019

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

Order no. 23 dated 15.03.2021

Today is fixed for hearing petition dated 10.03.2021 praying for dismissal of the  
Mise Case u/o 21 rule 97 C.P.C.for non prosecution.

The petitioner has filed a hazira and is present..

Ld. AdvocateS for the petitioner O.P. are present.

Heard Ld. Advocates for the petitioner and the O.P. on the aforesaid petition.

Perused. Considered.

it is ordered,

That the Mise Case u/o 21 rule 97 C.P.C. be and same is dismissed for non-  
prosecution. Send down the Execution Case record before Ld. Registrar Bench  
for further proceeding of the case.

Dictated & corrected by me.

Sd/-

Judge

Sd/-

Judge.

Title Execution18 of 2018 CNR:WBCC01-002259-2018  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)  
Order no. 24 dated 15.03.2021  
In view of order passed in Mise Case 2540 of 2019, send down the Execution  
Case Record before Ld. Registrar Bench for further proceeding of the case.

Sd/-  
Judge

Title Suit 1590 of 2017 CNR:WBCC01-008664-2017

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 21 dated 15.03.2021**

Today is fixed for framing of issue.

Both sides have filed haziras and are present.

Perused the plaint and w.s. issues are framed in a separate sheet which is made part of the record.

Fix 04.052021 for P. Hearing of the suit.

Sd/-  
Judge

M.A.C.C. 698 of 2017 CNR:WBCC01-008623-2017  
Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 12 dated 15.03.2021**

Today is fixed for framing of issue.

Both sides have filed haziras and are present.

Perused the plaint and w.s. issues are framed in a separate sheet which is made part of the record.

Fix 05.07.2021 for P. Hearing of the suit.

Sd/-  
Judge

Title Suit 445 of 2018 CNR:WBCC01-001608-2018

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 21 dated 15.03.2021**

Today is fixed for taking steps by the plaintiff.

The plaintiff has filed a petition praying for time on the ground stated there in.

Prayer is considered and allowed.

Adjourned to 13.05.2021 for taking steps by the plaintiff.

Sd/-  
Judge

Title Suit 3221 of 2008 CNR:WBCC01-013096-2008

Present:Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

Order no. 77 dated 15.03.2021

Today is fixed for taking steps by the plaintiff.

The plaintiff has filed a petition praying for time on the ground stated there in.

Prayer is considered and allowed.

Adjourned to 13.05.2021 for taking steps by the plaintiff.

Sd/-  
Judge

Title Suit 1004 of 2019 CNR:WBCC01-003769-2019

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

Order no. 14 dated 15.03.2021

Today is fixed for furnishing information by the defendant no. 2.

The plaintiff has filed a petition praying for extension of ad-interim order of injunction.

The defendant no. 2 has not taken any steps.

For the ends of justice, adjourned to 27.04.2021 for furnishing information by the defendant no. 2.

interim order of injunction is extended till date.

Sd/-  
Judge

Title Suit 740 of 2020 CNR:WBCC01-002481-2020

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

Order no. 11 dated 15.03.2021

Today is fixed for taking steps by the plaintiff.

The plaintiff has filed a petition praying for extension of ad-interim order of injunction.

The defendant has filed a hazira.

Prayer is considered and allowed.

Adjourned to 21.04.2021 for taking steps by the plaintiff.

Interim order of injunction is extended till date.

Sd/-  
Judge

Mise Case 1616 of 2019 CNR:WBCC01-004268-2019

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 10 dated 15.03.2021**

Today is fixed for filing written objection.

The petitioner has not taken any steps.

O.P. has not taken any steps.

For the ends of justice, adjourned to 13.05.2021 for filing written objection.

Sd/-  
Judge

Title Suit 1570 of 2017 CNR:WBCC01-008528-2017

Present: Sri Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 24 dated 15.03.2021**

Today is fixed for filing written statement.

The plaintiff has filed a hazira.

The defendant no. 3 has filed a hazira.

The defendant no. 2 has filed a petition praying for time on the ground stated there in.

Prayer is considered and allowed.

Adjourned to 13.05.2021 for filing written statement sbuject to statutory period.

Sd/-  
Judge

M.A.C.C. 554 of 2017 CNR:WBCC01-007083-2017

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 16 dated 15.03.2021**

Today is fixed for taking steps by the plaintiff and filing written statement.

The petitioner has filed a petition praying for time on the ground stated there in.

O.P. no. 2 has filed a hazira.

Perused the record. It appears that written statement has already been filed by O.P. no. 2 on 03.01.2020 and the same is accepted.

Prayer for time for taking steps upon O.P. no. 1 is considered and allowed.

Adjourned to 13.05.2021 for taking steps upon O.P. no. 1 by the petitioner.

Sd/-  
Judge

Title Suit 2325 of 1983 CNR:WBCC01-000037-1983

Present: Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 135 dated 15.03.2021**

Today is fixed for Engineer Commissioner's report.

The plaintiff has filed a hazira.

No report submitted by Engineer Commissioner.

To 14.06.2021 for Engineer Commissioner's report.

Sd/-

Judge

Title Suit 566 of 2005 CNR:WBCC01-003753-2005

Present: Sri Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 164 dated 15.03.2021**

Today is fixed for further intimation from Hon'ble High Court Calcutta.

Parties take no steps.

Perused the record.

Fix 14.06.2021 for hearing petition u/o 22 rule 3 C.P.C. To date for further intimation from Hon'ble High Court Calcutta

Sd/-  
Judge

M.A.C.C. 532 of 2018 WBCC01-006082-2018

Present: Bivas pattanayak, Judge, Bench-II(WB01050)

**Order no. 13 dated 15.03.2021**

Record is put up today by a put up petition filed on behalf of the petitioners.

Ld. Advocate for the petitioners has filed an application praying for withdrawal of one cheque being no. 657602 dated amounting to Rs. 1,43,750/- issued by ICICI LOMBARD GENERAL INSURANCE CO. LTD. in favour Kakoli Ruidas drawn on ICICI Bank, 215, Free Press House, Nariman point Mumbai-400021.

Ld. Advocate for the petitioners has also files two fixed deposit receipts showing deposit of Rs. 1,43,750/- and 1,43,000/- at Canara Bank and Union Bank of India respectively for a period of ten years each. Let the receipts be kept with the record.

It appears that Kakali Ruidas was directed to deposit the sahe of the minor amounting to Rs. 1,43,750/- cash in nationalised Bank or Post Office. Although she has deposited the share of minor Punam Ruidas amounting to Rs. 1,43,750/- in Canara Bank but as regard share of minor Rajesh Ruidas, she has deposited Rs. 1,43,000/- in Union Bank of India instead of Rs. 1,43,750/-. Accordingly, she is directed to take appropriate steps towards depositing actual share of minor Rajesh Ruidas amounting to Rs. 1,43,750/- as per order of the court.

Sd/-  
Judge

Mise Case 377 of 2021WBCC01-001057-2021

Present: Bivas pattanayak, Judge, Bench-II(WB01050)

**Order no. 2 dated 15.03.2021**

Received the record from Ld. Chief Judge today.

The petitioner has not not taken any steps and found absent on repeated call till 12.00 noon. It appears that the petnr. does not intend to proceed the case.

Hence,

it is ordered,

That the Mise Case be and same is dismissed for non-prosecution.

Dictated & corrected by me.

Sd/-  
Judge

Sd/-  
Judge.

Title Suit 364 of 2021 CNR:WBCC01-001035-2021

Present: Sri Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 3 dated 15.03.2021**

The plaintiff has filed affidavit of service alongwith one postal registration slip and requisite of injunction and notice. Let these be kept with the record.

Sd/-  
Judge

Mise Case 198 of 2011WBCC01-001218-2011

Present: Bivas pattanayak, Judge, Bench-II(WB01050)

**Order no. 2 dated 15.03.2021**

Record is put up today by a put up petition filed on behalf of the petitioner.

The petitioner has filed a petition alongwith Hon'ble court's order dated 10.03.2021 praying for fixing a date of delivery of possession of the suit premises through the bailiff of this learned court in accordance with the direction passed by the Hon'ble High Court at Calcutta and further ensure compliance of the other portions of the aforesaid order with the time limits as specified by the Hon'ble High Court at Calcutta. Copy served.

Both sides are present.

Fix 16.03.2021 for hearing petition dated 15.03.2021.

Sd/-  
Judge

Title Suit 368 of 2021 CNR:WBCC01-001046-2021

Present: Sri Sri Bivas Pattanayak, Judge, Bench-II(WB01050)

**Order no. 3 dated 15.03.2021**

The plaintiff has filed affidavit of service alongwith three postal registration slips. Let it be kept with the record.

Sd/-  
Judge