

MISC. CASE NO. 02 OF 2017
REGN. NO.02 OF 2017

PRESENT : PRADIP KUMAR PANJA
DISTRICT JUDGE,
DAKSHIN DINJPUR AT
BALURGHAT

ORDER NO.16
30.03.2022

Both sides filed haziras. Today is the date fixed for hearing of the petition under section 5 of the Limitation Act.

After completion of argument made on behalf of the petitioner in this Misc.Case, the Ld.Advocate for the O.P of this Misc.Case has pointed out that the delay in filing the Misc.Case has been actually pointed out in Paragraph-3 of the petition u/s.5 of the Limitation Act wherein it has been stated that the Ld.Advocate for the present petitioner namely Poppy Dutta told the petitioner that Mat.Suit No.142/2010 had been withdrawn by the petitioner therein being the OP of this Misc.Case and for that reason the petitioner herein did not turn up in the said suit.

Ld.Advocate for the present OP has also argued that the present petitioner has not examined the said Ld.Advocate namely Poppy Dutta and thus there is no merit in the petition u/s.5 of the Limitation Act.

At this stage, the Ld.Advocate for the present petitioner submits that an opportunity may be given to the present petitioner to examine advocate Poppy Dutta.

Heard both sides. Considered.

For the ends of justice an opportunity is given to the petitioner to examine advocate Poppy Dutta on the next occasion.

Fix 06.04.2022 for taking necessary steps for examining the above mentioned witness.

Dict. & Corr by

District Judge

District Judge
Dakshin Dinajpur at Balurghat