

In the Court of Additional District and Sessions Judge,
Gangarampur at Buniadpur, Dakshin Dinajpur.

Title Appeal. No. 11 of 2023

CNR No. WBDD05-000688-2023

JO CODE No. WB-842

Present- Smt. Melissa Gurung

Addl. Dist. & Sess. Judge

Gangarampur at Buniadpur,

Dakshin Dinajpur.

Order No. 03

20-01-2024

Appellant files advocate hazira.

Today is fixed for hearing on point of maintainability.

Heard the Ld. Advocate for the appellant.

It appears that under the peculiar circumstances mentioned in paragraph NO 6 and 6 of the memo of appeal, there was extension of period of limitation due to the non supply of certified copy of the decree by the Copying Department.

In such circumstances, the appeal appears to be within time.

Perused the memo of appeal which puts into challenge the judgement of the Ld. Civil Judge (Jr. Divn) Gangarampur at Buniadpur dated 13-07-2023 which dismisses the suit ex-parte.

In such circumstances, the appellant should be provided an opportunity to challenge the judgment of the Ld. Trial Court on merit.

Hence, the appeal is admitted.

Issue Notice upon the respondent in both ways.

Fix 28-06-2024 for S.R, A.D and LCR.

Call for LCR being Title Suit No. 108 of 2016.

Dictated & Corrected by

Addl. Dist. & Sess. Judge,
Gangarampur at Buniadpur,
Dakshin Dinajpur.

(Melissa Gurung)
(WB-00842)
Addl. Dist.& Sess. Judge,
Gangarampur at Buniadpur,
Dakshin Dinajpur.