

O.C. SUIT No. 02 OF 2018
CIS NO. 01 OF 2018
JO CODE WB00669

Order No. 68, Dated 12.08.2025

Today is fixed for passing necessary order.

Hazira is filed on behalf of plaintiff.

The record is taken up for passing necessary order.

The plaint case in a nutshell is that the plaint is a partnership firm registered under the law, but no original document is filed to show that the partnership is a registered firm. Moreover, on perusal of the plaint itself it is crystal clear that the instant suit was filed by special power of attorney holder. But as per the law power of attorney holder can only appear in his own capacity. No one can delegate the power to appear in the witness box on behalf of himself. To appear in a witness box is altogether a different act. A general power-of-attorney holder cannot be allowed to appear as a witness on behalf of the plaintiff in the capacity of the plaintiff.

Before passing any order it needs for clarification from the end of plaintiff.

Fix **02.09.2025** for clarification and further argument.

Dict. & corrected by me

Sd/-
District Judge,
Darjeeling

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District Judge,
Darjeeling