

Title Suit no. 02 of 2025 (CIS 02 of 2025)

WB- 01110

Order no. 18 dated 30.06.2026

Today is fixed for filing amended copy of
plaint and further hearing.

Plaintiff filed the amended copy of plaint along with an affidavit accepting such amendment which made subsequently after filing compromise petition.

The parties have produced the original copy of deed being nos. 1798 of 2012, 1799 of 2012, 162 of 1999 and certified copy of memorandum of agreement of family settlement.

The Ld. Advocate for both parties are present before the Court.

Perused the terms of compromise/solenama filed by the parties on 01.06.2026. Parties individually examined on 01.06.2026 regarding their consent in filing of terms of compromise/solenama.

The parties have decided their respective shares and its terms and condition of enjoyment of the ancestral property in terms of solenama which is found acceptable.

Hence, it is,

ORDERED

that the suit be and
same is decreed in terms of compromise/solenama entered in between the parties dated 01.06.2026. The suit be preliminary decreed in terms of compromise/solenama filed by both the parties dated 01.06.2026. The parties are directed to amicably partition the suit property by metes and bounds in accordance to the preliminary decree within one month of this decree failing which this court will proceed with the case for drawing up final decree suo moto as per the direction of Hon'ble Apex Court in Civil Appeal No (S) 6406-6407 of 2010 (Kattukandi Edathil Krishnan & anr Versus Kattukandi Edathil Valsan & ors).

Let the terms of compromise/solenama dated 01.06.2026 be made a part of the preliminary decree.

The parties are directed to comply the order of Preliminary decree within one month and putup the record for drawing up final decree.

Dictated & corrected by me.

-S/d-

Civil Judge (Sr. Divn.)

Kalimpong.

-S/d-

Civil Judge (Sr. Divn.)

Kalimpong.