

Title Appeal No. 06 of 2024

Present: Sri. Ajayendra Nath Bhattacharya
Additional District Judge, 1st Court, Contai
JO Code: WB00819

Order No: 10, Date: 09-02-2026

Today is fixed for hearing of the appeal along with three petitions dated 07-11-2025 as preferred by the appellants.

The appellants and the respondents are present by filing their respective attendance through their Ld. Advocates.

On perusal of the case record, it is found that on 07-11-2025, the appellants had filed an application under Order 01 Rule 10 CPC. No WO has been filed against the said application by the respondents. The said application is taken up for hearing.

Perused the said application and considered the same in the light of the materials on record and the submissions made by Ld. Advocates for both the sides.

The Ld. Advocate for the appellant no. 3 and 4 had transferred their share in the property in question in favour of the appellant no.1 in terms of Deed of Gift dated 03-06-2024 whereas the appellant no.2 has transferred her share in the property in question in favour of the appellant no.1 in terms of a Deed of Gift dated 22-06-2023. It is submitted that the appellant no. 02, 03 and 04 do not have any further interest in the property in question and as such their names may be expunged from the cause title of the memo of appeal. No objection is taken by the respondents.

Accordingly, the prayer of the appellants is allowed.

Hence, it is

ORDERED

that the application dated 07-11-2025 as filed by the appellants under Order 01 Rule 10 CPC is hereby allowed on consent and let the names of the appellant no. 02-024 be expunged from the cause title of the memo of appeal.

It is also found that the appellants have preferred another application under Order 06 Rule 17 CPC and another application under Order 41 Rule 27 CPC. These applications are required to be heard along with the appeal for their proper adjudication. As such, it is directed that these applications will be considered along with the appeal itself.

Appellants are directed to put in revised copy of Memo of Appeal by the next date.

To **09-03-2026** for hearing of the appeal along with the application under Order 6 Rule 17 CPC and Order 41 Rule 27 CPC and filing revised copy of Memo of Appeal.

Dictated and Corrected By:

Sd/-
ADJ, 1st Court,
Contai.

Sd/-
ADJ, 1st Court,
Contai,
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