

Title Suit 107 of 2016

Order No. 40 dated 04.08.2025.

Today is fixed for passing order.

Both parties filed hazira.

Ld. Advocate for the plaintiffs submitted that their examination-in-chief in respect of PW 2 should be accepted.

Ld. Advocate for the defendant raised vehement objection that the plaintiff No. 13 has already deposed as PW 1 on behalf of all the plaintiffs. So the PW 2 cannot be allowed to depose.

Heard. Considered.

This Court is of the opinion that the parties cannot be debarred from giving their evidences. The Court cannot restrain the plaintiffs for deposition. The evidentiary value of such deposition will be considered at the time of passing judgment. The defendant is directed to cross-examine the PW 1.

Hence, it is

ORDERED

that the petition dated 09.04.2025 is hereby disposed of on contest without any order as to costs.

Fixing 29.10.2025 evidence of PW 2.

D/C by me

C. J. (Jr. Divn.)
Amta, Howrah

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