

Title Suit 70 of 2017 (CIS 81 of 2017)

Order No. 56 dated 01.07.2025

Today is fixed for passing order.

Both parties filed hazira.

Ld. Advocate for the plaintiff submitted that at the time of drafting of the WS the defendants found that one title suit in the name and style of rent suit being No. 650 was filed before this Court in the year 1924 and it was duly decreed, based upon which a rent execution case being No. 114 of 1926 was filed on 15.06.1926. In that execution case the property was auctioned and sold out in favour of Smt. Pari Sundari Dasi. But in spite of strenuous search the defendant could not obtain the certified copies of the order, judgment and decree of the rent suit being No. 650 of 1924 or rent execution case being No. 114 of 1926. These are highly indispensable to be taken into judicial notice by sending for documents for the proper and effective adjudication of the case.

Hence the defendants prays for orders and send for the said orders, judgment and decree of the rent suit No. 650 of 1924 and rent execution case 114 of 1926 and call for the record of the same.

Ld. Advocate for the plaintiff raised vehement objection stating that this application is liable to be rejected as per Rule No. 458 of CRO.

Heard. Considered.

The Sheristader is directed to search for the record of rent suit No. 650 of 1924 and rent execution case 114 of 1926 within the next date positively.

Fixing 14.11.2025 for report from the Sheristeder.

D/C by me

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

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