

MC - 146/2021
Present : Sri A Bose (JO Code : WBJO1491)

Order dated 08.01.2026

Today is fixed for evidence of OPW2.

Both side file hazira.

OP has filed an application and stated that today is fixed for evidence of OPW2 who is already appeared on last date before this court and examined on dock partly but said witness being old age did not appear before this court and is not willing to give further evidence and thus the OP further prayed before this court to close the said witness and also examined another witness as OPW2 namely Subhendu Mondal instead of her for the proper adjudication of this case.

Further, the OP stated that to allow him to give another OPW otherwise the OP will face immense loss and injury.

Copy served to the petitioner and raised vehement objection.

Considering the nature of the case, this court at this stage allowed and considered the application of the OP and hence the OPW2 which resume on earlier date is hereby closed and discharged and the OP is hereby directed to produce another witness for examination as ground stated therein in his application.

Accordingly the fresh witness namely Subhendu Mondal is appeared on dock and examined in full and discharged as OPW2.

The Advocate of OP on open court declared that he does not wish to proceed to adduce any further evidence.

Considering the submission and nature of the case, the OPW at this stage is closed and discharged for sake of justice.

Fix 02.03.2026 for argument and judgment. Both side are hereby directed to remain present.

Day adjourned.

A Bose
JM, 1st Court,
Uluberia, Howrah