

Misc Judicial Case No.24 of 2024
C.N.R. No. WBJP01-002846-2024

Order No.11, dated – 08.01.2026.

Today is fixed for hearing.

Hazira has been filed on behalf of the petitioner.

Steps has been taken on behalf of respondent / O.P. by filing a petition for adjournment. Copy of the same has been served upon the Ld. Advocate for the petitioner and the same has been duly received with objection.

One application has been filed today on behalf of the petitioner for consideration that the court fees as affixed on the application under Sec.12 of the Guardian and Wards Act, 1890 be treated as affixed on the main application under sec.25 of the Guardian and Wards Act, 1890, whereas the court fees as affixed on the application under sec.25 of the Guardian and Wards Act, 1890 be treated as affixed on the application under Sec.12 of the Guardian and Wards Act, 1890.

Petition is taken up for consideration.

Same is heard and considered.

Upon perusal of the petition and after going through the record and considering the submission of the Ld. Advocate for the petitioner, it appears to this court that due inadvertent mistake, the court fees which ought to have been affixed on the application under sec.25 of the Guardian and Wards Act, 1890, has been fixed on the application under Sec.12 of the Guardian and Wards Act, 1890 and vice versa. Even the office report has failed to draw attention of the court to that effect.

In view of that, considering the matter as inadvertent mistake, let the court fees as affixed under Sec.12 of the Guardian and Wards Act,1890 be deemed to be affixed on the application under Sec.25 of the Guardian and Wards Act,1890 and the court fees as affixed on the application under Sec.25 of the G Guardian and Wards Act,1890 be deemed to be affixed on the application under Sec.12 of the Guardian and Wards Act,1890.

Necessary office report be made by the office of this court.

Accordingly, the petition as filed on behalf of the petitioner regarding anomalies in court fees, is allowed and disposed of.

Prayer for adjournment on behalf of the respondent/O.P. is considered and allowed for the reasons stated therein.

Next date be fixed for office report as well as hearing of the petition under sec.12 of the Guardian and Wards Act, 1890.

Fix _____ for hearing for office report as well as hearing of the petition under sec.12 of the Guardian and Wards Act, 1890.

Dictated & Corrected by me

District Judge, Jalpaiguri
(WB01135)

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