

WBND070001202016



**Title Suit 85/2016**  
**Registration No 332/2016**  
**Present : Rajib Sarkar**  
**J.O. Code- WB01509**  
**Sukla Sarkar @ Das Vs. Netai Sarkar**

**Order No 41**  
**Date 19.09.2024**

Today is fixed for further cross examination of DW1, additional WS by the defendant if any in the mean time.

Both parties are represented by separate lawyer's hazira.

Ld. Lawyer for the defendant verbally submits that he does not wish to file any WS.

Dw1 is also present before this Court today.

Accordingly, Dw1 is called on dock and his cross examination resumes.

After that, Ld. Lawyer for the plaintiff cross examined partly and files a petition praying for time to further cross examination of Dw1, which is considered and allowed as special last chance.

Fix 03.10.2024 for further cross examination of Dw1 as special last chance if necessary order.

Dictated & corrected by me,

Sd/- Rajib Sarkar  
Civil Judge(Junior Division),  
Nabadwip, Nadia

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T.S 85/2016  
(R 332/2016)

**Further cross examination of Dw1, Netai Chandra Sarkar resumes today i.e. on 19.09.2024:**

It is a fact that all the documents filed by me in the record as exhibits are in the name of the plaintiff.

**Voluntarily says** - I had transferred the property in her favour so that she could secure a loan.

I have no document to show that I had transferred the property to secure a loan.

The property I have transferred to the plaintiff for the purpose of such loan was in Pratapnagar.

I had purchased such property from Gobinda Ghosh around 2008.

I can not say the amount of land in such property.

It comprises of two plots.

The holding number of such property is 302.

I can not say the dag no, khatian no or mouza of the property.

I can not file the purchased deed, ROR, Govt. rent receipt or municipal tax receipt before the Court on the next date.

I can not say whether the above facts of purchasing the property from Gobinda Ghosh by me and thereafter transferring the same to the plaintiff for the purpose of a loan have been stated in my WS or written chief.

Not a fact that I have stated falsely that I had purchased the property from Gobinda Ghosh and transferred the same in favour of the plaintiff.

Not a fact that I never purchased any such property.

I do not know whether Shukla Sarkar i.e. the original plaintiff has already expired.

Contd...

T.S 85/2016  
(R 332/2016)

Contd....

It is a fact that I have stated in my written chief that I was never the husband of the original plaintiff Shukla Sarkar.

It is a fact that such statement has been made by me voluntarily.

It is a fact that I had filed T.S. 52/2016 against Shukla Sarkar.

**Question:** You have stated in the plaint of such suit that you and Shukla Sarkar were husband and wife. Was that statement made as per your will?

**Answer:** I have never made any such statement.

I do not know whether such suit was dismissed for default due to willful negligence of my part with a bad intention.

It is a fact that one matrimonial suit for divorce was filed between myself and Shukla Sarkar.

I am presently retired and enjoying pension. My present pension is above rs. 16,000/-. I am receiving such amount since the last year. Before that my pension amount was Rs. 10,000/-.

I have only one son and one daughter. My son was born in 1977 and my daughter was born in 1982.

I am in dispute with Shukla Sarkar since 2016.

When I constructed my house opposite to the suit property I used to receive about Rs. 9,000/- as salary.

I had managed to maintain my family, provide for their necessities and construct the house from such income.

It is not a fact that I have stated falsely that the plaintiff was not the sole owner of the suit property.

It is not a fact that Shukla Sarkar was the absolute sole owner and possessor of the suit property during her lifetime and after her demise her legal heirs have inherited such property.

(Deferred as per prayer of the Ld. Counsel for the plaintiff)

Dictated & Corrected by me

Civil Judge (Jr. Divn.),  
Nabadwip, Nadia

Civil Judge (Jr. Divn.),  
Nabadwip, Nadia