

WBND070001202016



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

Order No 43

Date 25.11.2024

Today is fixed for further cross examination of DW1 as special last chance id necessary order on condition to file medical documents.

Both parties are represented by separate lawyer's hazira.

Defendant has not filed and medical document. Defendant is directed to file medical document at once.

Dw1 is also present before this Court today.

Accordingly, DW1 is called on dock and his cross examination resumes.

He is cross examined partly.

After that, Ld. Lawyer for the plaintiff files a petition praying for time to further cross examination of DW1 which is considered and allowed with a **condition to conclude the same on the next date fixed.**

Fix 05.12.2024 for further cross examination of DW1 as special last chance id necessary order on condition to file medical documents and with a condition to conclude the cross examination on the next date fixed.

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 25.11.2024:

It is a fact that the original plaintiff Shukla Sarkar (Das) has expired and has been survived by the two substituted plaintiffs.

It is a fact that the suit property is identified by 'Nilkantha Bhaban' and also bears such name plate.

It is a fact that the plaintiff was a senior nursing staff.

It is a fact that the original plaintiff Shukla Sarkar (Das) had purchased the suit property from one Gobinda Ghosh by way of a registered deed.

Voluntarily says – I had allowed such registration in such name for the purpose of obtaining a loan but Gobinda Ghosh was actually known to me and sold the property to me.

It is not a fact that I had introduced Gobinda Ghosh with Shukla Sarkar (Das) for the purpose of such transaction.

It is a fact that after such purchase the property has been mutated in the name of Shukla Sarkar (Das) and taxes are also being paid in her name.

It is a fact that the ROR is also in the name of Shukla Sarkar (Das).

It is a fact that Shukla Sarkar (Das) had obtained a loan from The Nadia District Central Co-operative Bank Ltd. On 22.06.2011 but the amount of such loan was only Rs. 6 lakh and not Rs. 7,26,641/-.

It is not a fact that Shukla Sarkar (Das) had constructed the building over the suit property using such amount and out of some other savings of her own.

Not a fact that after construction of such house Shukla Sarkar (Das) used to stay there with her son and daughter.

It is a fact that I used to stay in a room of the same building.

I stay in a room on the first floor.

It is not a fact that I am in possession of such room on the basis of an oral license obtained by me from Shukla Sarkar (Das) on 01.12.2011.

It is not a fact that after starting to reside over the suit property I started to pressurize Shukla Sarkar (Das) in various ways to transfer the property in my name.

It is not a fact that since she did not agree to such proposal I inflicted physical torture upon her.

It is a fact that Shukla Sarkar (Das) had filed a criminal case against me with such allegations.

(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