

In the Court of the Additional District & Sessions Judge,  
Fast Track Court-II, Bongaon, North 24 Parganas.

**Mat. 285 of 2023**

**CNR-WBNP-06 001344-2023**

Sri Sudip Sarkar - Versus- Smt. Rima Biswas

**Present : Soma Chakrabarti**

**Order No. 09, dt. 05-04-2024**

Today is fixed for exparte hearing of this suit.

The petitioner is present and files hazira along with his Ld. Advocate.

The petitioner has also filed his Examination in Chief along with a joint photograph of their marriage proof. The Ld. Lawyer on behalf of the petitioner has also filed the examination in chief of Smt. Putul Roy to corroborate the evidence of the petitioner Sri Sudip Sarkar. As per the submission of Smt. Roy, the case record, being case no. **Mat. 285 of 2023** has taken up for hearing. More so, Smt. Roy has also submitted that the petitioner is an 'Army' person and he is presently posted at Punjab and it was very much tough for him to appear before this Court by taking leave from their concerned Department.

Considering all the petitioner has been asked to come on dock for tendering his Affidavit in chief.

It is to be mentioned here that there was a resolution, dated 04-04-2024 of the Bongaon Lawyers' Association, wherein it has been requested to the Judges and Magistrates "**not to pass any adverse order**" due to sudden demise of one Senior law clerk, namely Ratan Lal Halder of Bongaon Court. There was nothing more or nothing less any request to the Judges and Magistrates in their above said resolution. So, in such situation, the concerned Ld. Lawyer did not take any wrong step, as there was no question of passing order in that record, only it was fixed for exparte hearing.

On 05.04.2024 at first half of the Court's hours the record, being Mat Suit no. 285/2023 under Section 9 of Hindu Marriage Act has been placed before me by BC-I of my Court on the request of the Ld. Advocate Smt. Payel Roy stood on behalf of the petitioner of this Mat Suit, namely, Sri Sudip Sarkar. Smt Roy as an Advocate of this Mat Suit has taken all the necessary steps as per law to proceed with the above said case for exparte hearing and Ld. Advocate Smt. Roy has also filed the two affidavit in chiefs of Sri Sudip Sarkar and Smt. Putul Sarkar. The Ld. Advocate of the petitioner of the said Mat Suit also submitted before the Court that petitioner was an 'Army Person' and at present, the petitioner is posted at Punjab and it would be very much tough for the petitioner to come again if he would miss the present date.

**It is to be mentioned here that the Ld. Lawyer Smt. Roy for the petitioner did not bother directrion from their Lawyers' Association, as enumerated in the resolution, dated 04-04-02024.**

**In such situation, the conduct of Smt. Roy is very much appreciable as she did not bother about her risk, but she has felt the accute problem of her client as well as she has bothered about the interest of the litigant public.**

Considering the above situation, I took up the record as per prayer of Ld. Advocate Smt. Roy on behalf of the petitioner of the said Mat Suit . As per law for tendering the affidavit in chief as PW-1 the petitioner has been asked to come on the dock for tendering the affidavit in chief of PW-1 and during the course of the same, one Ld. Advocate namely Sri Narottam Ghosh has entered into the Court room and submitted that he would stand for the respondent of the said suit and also prayed for time of 02/ 2 ½ hours to file the petition for vacating the exparte order of the said case though there was no Vakalatnama in the said record in his favour by his client. As such at that relevant point of time, he had no locus standii to move on behalf of the respondent.

However, I have told him that at first he has to file the necessary papers on behalf of his client along with Vakalatnama, then he would be eligible to move before the Court but Sri Narrrottam Ghosh did not hear anything but in a very bad manner and loudly asked for stopping the tendering of affidavit in chief of the PW-1 (petitioner) and suddenly left the Court and came again along with the Ld. Advocate Sri Krishna Ghosh, Sri Supriyo Banerjee , Sri Tapas Biswas, Sri Biswajit Biswas @ Hash Biswa, law clerk Sri Manoj Saha and others. As a whole Sri Narrrottam Ghosh has entered into my Court room along with more or less 'Forty'(40) persons including the above stated Ld. Advocates and law clerks. All the above stated Ld. Lawyers, law clerks have started shouting and others have started to abuse this Court with filthy languages and some of them uttered " amader nirdesh anujayi apnake order korte hobee ei mamlai" . The law clerk Sri Manoj Saha threatened me in open Ejlash by some filthy languages when I was sitting on Judicial chair at Ejlash.

The Ld. Advocate Sri Krishna Ghosh abused this Court by filthy languages in a very dramatic manner.

The Ld. Advocate Sri Narrrottam Ghosh was also abusing the Court and threatened me in a very bad manner.

The Ld. Advocates Sri Supriyo Banerjee , Sri Tapas Biswas, Mr. Banti Babu and his Junior were present and they were shouting with the mob to insult this Court.

The Ld. Advocate Sri Biswajit Biswas @ Hash Biswas has torned the affidavit in chief of PW-2 namely Smt. Putul Sarkar of the case record ( **Mat Suit No. 285 of 2023** ) by snatching the same from the table of the court room and it also appeared that the above said Ld. Lawyer, namely, Sri Biswajit Biswas @ Hash Biswas at that time was in intoxicated condition and he also abused the Court in filthy language more and more loudly than others.

The full mob also tried to damage the furniture of this Court room in different manners.

Afterwards again the other mob including 50/60 persons came along with some Ld. Lawyers and law clerks under the leadership of one Ld. Senior Lawyer and they asked the BC-I, Stenographer, Peon to get out of this Court and due to fear, they came out from the Court room and the Ld. lawyers and law clerks locked the door of the court room by the padlock and again started slogan in a very abusive manner.

Before that I came out from the Court room as I became very much ill and facing the respiratory problem due to such chaos in this Court room.

At about 01:10 p.m. (13.10 hours) I came to the Chamber of Ld. ADJ, 1<sup>st</sup> Court namely Sri Kallol Das, Bongaon, North 24 Parganas and explained him all the incidents as stated above and thereafter, I became more restless and brought me to SD Hospital, Bongaon, North 24 Parganas at the Emergency Department of the hospital as well as the attending doctors directed the staff of him to admit me in the hospital for my treatment and I have been admitted to the said hospital at about 01.27 / 01.30 p.m. on 05.04.2024.

Actually, those Ld. Lawyers. Law clerks and others present in their group have tried me to resist forcefully from serving the judicial work without any justification and they have also insulted the Judiciary as well as to me as I am also the part of Judiciary.

As such, I have never seen in my life during the course of my this Judicial service such type of cruel behaviors of the Ld. Lawyers and law clerks in any station with a Judicial Officer.

**In this respect, I have to mention here that for the personal interest of Sri Narottam Ghosh and Sri Krishna Ghosh from the very beginning was trying to create a chaos inside the Court room. There is no need to say as it is open to all that Sri Krishna Ghosh is the father of Sri Narottam Ghosh.**

**As such, after scrutinizing the record, I did not find out any Vakalatnama of the Ld. Advocate, namely Sri Narottam Ghosh or Sri Krishna Ghosh on behalf of the respondent. As per the order No. 03, dated 21-08-2023, it appears that the respondent was present and also prayed for time to file W.O/ W.S. on behalf of the respondent and on that date, the time prayer was allowed and fixed 26-09-2023 for appearance of both the parties, reconciliation I.d W.O. by the respondent. As per order No. dated 26-09-2023, the respondent has also prayed again for time for filing of W.O. then next date was fixed on 16-12-2023 for filing W.S/W.O. But on 16-12-2023, the respondent did not take any step, on next date also, i.e. on 10-01-2024, the time prayer of the respondent was also allowed and on the next date also, i.e. on 07-02-2024, the respondent did not file any W.S., then as per order no. 07, dated 07-02-2024, the respondent was show caused as to why this case should not be proceeded exparte. But no show cause has been filed, i.e. on 13-03-2024 and today, i.e. on 05-04-2024 is fixed for exparte hearing of this suit.**

The above stated Ld. Lawyers, law clerks and others with the mob forcefully resisted this Court to complete the evidence of PW-1, namely Sudip Sarkar and it was remained incomplete and they have also resisted the PW-1 to put his signature as per law and the Ld. Lawyer Biswajit Biswas @ Hans Biswas torned up the Affidavit in Chief of PW-2.

In such situation, as stated above, this Court has no other way, but to fix up the next date for further exparte hearing.

Let a reference be made to the Hon'ble High Court, Calcutta, for drawing up the contempt proceeding against the Ld. Advocates, namely Sri Krishna Ghosh, Sri Narottam Ghosh, Sri Biswajit Biswas @ Hans Biswa, Sri Supriya Bannerjee, Sri Tapas Biswas along with Sri Samir Das, the Secretary of Bongaon Lawyers' Association and the Law clerk Sri Monoj Saha.

**Fix 05-06-2024 for further exparte hearing of this suit.**

Soma Chakrabarti  
Addl. District Judge,  
F.T.C.-II, Bongaon,  
North 24 Parganas.

No. 85

Date 05-04-2024

Let the reference be made to the Hon'ble High Court, Calcutta, for drawing up the contempt proceeding against the Ld. Advocates, namely Sri Krishna Ghosh, Sri Narottam Ghosh, Sri Biswajit Biswas @ Hans Biswa, Sri Supriya Bannerjee, Sri Tapas Biswas along with Sri Samir Das, the Secretary of Bongaon Lawyers' Association and the Law clerk Sri Monoj Saha.

Sd/-