

**EJECTMENT SUIT NO. :- 82 OF 2014**  
**(CNR No. WBPS01-000098-2014)**  
**(JO CODE No. WB01229)**

Order No. - 74  
Dt. 19.07.2023

Today is fixed for hearing of the petition dated 20.03.2023 filed by the plaintiff.

Both parties file hazira.

Plaintiff files written objection in respect of the petition filed by the defendant on 06.05.2023.

Copy served to the other side.

Plaintiff files objection against the petition dated 06.05.2023 filed by the defendant.

Now the petition dated 06.05.2023 filed by the defendant is taken up for hearing.

Heard the Ld. Advocate for the defendant who submitted that some defamatory statements have been made by the plaintiff in the application under Section 151 of CPC which was alleged of this court and defendant wants to expunge the specific portion as mentioned in the said petition.

Heard Ld. Advocate for the plaintiff who submitted that the alleged expunged cannot be done by this court and the defendant is at liberty to cross-examine the witness.

Considered. Perused the petition and other material on record.

Considering the same, I am of the view that there is no requirement for expunging the statement made by the plaintiff in their application under Section 151 of CPC and parties to this suit are at liberty to prove or disprove the same at the time of evidence.

Accordingly, the instant petition has no merit at all and liable to be rejected.

The plaintiff filed another petition under Section 65B, of the Indian Evidence Act.

Copy served to the other side.

Let the petition will be considered after the closer of the evidence on behalf of both sides.

Fixed 08.09.2023 for further examination-in-chief of P.W-1 (on recall).

**[ Dictated and corrected by me ]**

Sd/-  
(Manabendra Nath Ghosh)  
Judge, Bench – II,  
Presidency Small Cause Court,  
Calcutta.

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