

**Ejectment Suit No. 336 of 2014**  
**WBPS01-000550-2014**

**Order No.71**

**Date: 25.11.2024**

Today is fixed for P.hearing.

Parties are present by filing haziras.

The examination in chief on an affidavit has been filed by the plaintiff Debabtata Basak.

The plaintiff Debabrata Basak is examined in chief as PW1 in part .

The original property tax bill 1/24-25 to 4/24-25 issued by KMC being assessee no. 11 0174500095 in respect of the premises 3/1/1 ram Chand Nany Lane was marked as Ext.1. The death certificate of Joy Guru Basak was marked as Ext.2. The counter foil of rent receipt dated 02.11.2011 having bill no.105 issued by Mina Basak was marked as Ext.3.

The eviction notice dated 23.11.2011 alongwith the postal receipt addressed to Goutam Mallick and sent by Advocate Swaraj Kumar Dutta was marked as Ext.4. The certified copy of order dated 24.09.2013 in four pages passed in Ej Suit no. 197 of 2012 passed by Ld.3rd Judge, SCC Court was marked as Ext.5. The certified copy of order dated 18.03.2014 in two pages passed in Ej Suit no. 197 of 2012 passed by Ld.3rd Judge, SCC Court was marked as Ext.6. The eight postal receipts dated 25.04.2014. are collectively marked as Ext.7. The three postal AD cards are collectively marked as Ext.8. The five postal return back envelopes with endorsement are collectively marked as Ext.9. The five original voters id card standing in the names of Subrata Basak , Mina Basak, Debabrata Basak, Sayan Basak and Pratima Basak are marked as Ext.10 series.

The two original Aadhar cards in the names of Ayan basak and Debayan Basak are marked as Ext.11 series.

The PW1 tendered the letter of Authority dated 20.11 2024 given by Pratima Basak and Debabrata Basak .

At this stage the Ld. Lawyer for the defendants asked the Court to mark the document exhibit with the endorsement " Objected to". The court then asked the Ld Lawyer to state his specific objection to the document because merely raising objection to a document without stating the reason is not acceptable, but he refused submitting that it would be divulging his defence.

The genral rule is that a party raising objection to a certain document must raise the objection before the court endorses the document as admitted in evidence. The party must state the reasons for the objection and state it so

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that the court will then decide whether to admit the document or not. Objections to a document's admissibility can be based on two grounds: the document itself is inadmissible or the mode of proof is irregular.

In view of the above, let the evidence of PW1 is deferred for the day and a hearing be fixed to come to a finding with regard to the objection of the defendants.

To 27.01.2025 for hearing on the point of marking the letter letter of Authority dated 20.11 2024.

**Dictated and corrected by me:**

*Judge*

**Smt. Gladys Bomjan**  
**(J.O. Code: 01039)**  
**Judge, 3<sup>rd</sup> Bench**  
**Presidency Small Cause Court,**  
**Calcutta**