

Ejectment Suit No. 381 of 2016
C.N.R No. WBPS01-000849-2016

Order No.53

Dated 14.01.2026 :

Today is fixed for further examination in chief of PW-1. Both the parties file separate attendance through their respective Ld. Advocates. PW-1 is present and files supplementary affidavit in chief and a certificate under section-65B of the Indian Evidence Act along with the documents.

Ld. Advocate for the defendant raised strong objection against the supplementary affidavit in chief.

It is submitted on behalf of the plaintiffs that PW-1 has stated in the written examination in chief on affidavit form, which has already been tendered, about the documents filed today but Form No.MGT-7 for the year 2023-24 was mentioned therein, whereas the suit relates to the year 2015-16 and 2016-17. Only this fact is stated in the supplementary affidavit in chief.

Heard both sides. Perused the record.

Considered.

As the relevance of the documents filed today has already been stated in the written examination in chief, this Court is inclined to permit PW-1 to tender the supplementary affidavit in chief.

The record is taken up for evidence.

PW-1 duly tendered the supplementary affidavit in chief and has further been examined in chief in full and cross examined by the defendant in part.

Ld. Advocate for the defendant files a petition with a prayer for time to further cross examine the witness.

The prayer is allowed.

During the further examination in chief of PW-1 the downloaded copy of the Form No. MGT-7 for the financial year 2015-16 and 2016-17 along with the certificate under section-65B of the Indian Evidence Act are marked as Exhibit-14 collectively and the certified copy of the rent receipt dated 12.03.2015 is marked as Exhibit-15.

Ld. Advocate for the defendant raised objection against the marking of Exhibit-14 collectively.

Fix 12-03-2026 for further cross examination of PW-1.

Typed, Corrected and Printed by me.

Judge, Bench-4
PSCC, Calcutta
J.O Code WB01174

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