

Ejectment Suit No. 347 of 2019
C.N.R No. WBPS01-000878-2019

Order No.39

Dated 18.06.2025 :

Today is fixed for peremptory hearing of the suit. Both the parties file separate attendance through their respective Ld. Advocates. Vinod Kumar Dugar, the representative of the plaintiff is present and files written examination in chief on affidavit form and some documents by way of firisti.

The record is taken up for peremptory hearing of the suit.

Vinod Kumar Dugar, the authorized person of the plaintiff company, duly tendered the written examination in chief on affidavit form and has been examined in chief as PW-1 in part.

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

The prayer is allowed.

During the examination in chief of PW-1 the following documents are exhibited:

1. Resolution of the Board-- Exhibit-1.
2. Property tax receipt-- Exhibit-2.
3. Letter dated 01.07.2008 along with the photocopy of the letter dated 30.06.2008-- Exhibit-3 collectively.
4. Original agreement for tenancy-- Exhibit-4.
5. Letter of attornment dated 01.07.2008 sent by plaintiff-- Exhibit-5.
6. Letter dated 15.05.2019-- Exhibit-6.
7. Letter dated 08.04.2019-- Exhibit-7.
8. Letter dated 08.08.2019-- Exhibit-8.
9. Copy of Notice of Eviction-- Exhibit-9.
10. Postal receipts and A/D cards-- Exhibit-9/1 collectively.
11. Reply letter dated 30.07.2019 along with the envelope--Exhibit-10 collectively.
12. Letter dated 31.05.2025-- Exhibit-11.
13. Relevant page of the annual report of Haileyburia Tea Estate-- Exhibit-12.

At this stage the defendant files a petition with a prayer for withdrawing the suit from the peremptory board and also files a petition under Order XXXIX Rule 7 of the C.P.C.

Copy is served.

The prayer for withdrawing the suit from the peremptory board is allowed.

The plaintiff is directed to file the written objection, if any, in the mean time.

Fix 07-08-2025 for hearing of the petition under Order XXXIX Rule 7 of the C.P.C filed by the defendant.

Typed, Corrected and Printed by me.

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

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