

**MAT-56/2017**  
**(R-1216/2017)**

Present :- Shri Raja Chatterjee,  
Additional District Judge,  
6<sup>th</sup> Court, Alipore, South 24 Parganas

Order No. 96  
09.12.2024

Both sides file hajiras.

The petition dated 04.09.2024 is taken up for hearing.

Heard both sides. Considered.

On perusal of the said petition it reveals that it is an application for appointment of an Advocate Commissioner to take further deposition of DW-1.

The said petition was filed during the period when this Court was lying vacant and the Ld. Charge Court was over burdened with his own file, as a result of which further cross-examination of DW-1 was delayed.

That apart the grounds stated therein for recording the further evidence of DW-1 does not fall within the criterias as mentioned in Order XXVI Rule 1 and Rule 4 of the C.P.C.

Be that so taking into consideration, all aspects the petition dated 04.09.2024 being a misconceived one hereby stands rejected on contest.

Since there is a direction from the Hon'ble High Court to dispose the instant suit expeditiously, on consent of both parties, a schedule is fixed for further cross-examination of DW-1.

The following dates are hereby fixed for further cross-examination of DW-1 and the parties are hereby directed to complete the same within such dates.

To **17.01.2025** for further cross-examination of DW-1.

To **31.01.2025** for further cross-examination of DW-1.

On all the aforesaid dates the instant matter will be taken up from 2.00 p.m. till 3.00 p.m.

D/C by me

A.D.J

Additional Sessions Judge,  
6<sup>th</sup> Court, Alipore,  
South 24-Parganas.  
J.O.Code WB00577