

IN THE COURT OF DISTRICT JUDGE,
SOUTH 24-PARGANAS AT ALIPORE

Title Appeal No. 94 of 2024

Present : Sri Biswarup Bandyopadhyay (WB01133) District Judge

Order No. 12, dated 15.05.2026

The date is fixed hearing of the application filed under Section 5 of the Limitation Act dated 25.07.2024.

Both parties have filed their respective haziras.

Respondent has filed a petition of objection in respect of the application under Section 5 of the Limitation Act. Let it be kept with the record.

Heard in part the submissions made on behalf of Ld. Advocates appearing for both parties in respect of the application under Section 5 of the Limitation Act.

Perused the record and the application filed under Section 5 of the Limitation Act dated 25.07.2024.

Upon hearing the submissions made on behalf of both parties and upon perusal of the record, it transpires that there are certain factual disputes in the matter specifically in respect of paragraph no. 5 of the application filed under Section 5 of the Limitation Act seeking condonation of delay.

Though, the statements made in paragraph no. 5 in the said application have been denied by the respondent in paragraph no. 8 of the Written Objection to the application filed under Section 5 of the Limitation Act dated 15th June, 2025, yet it has not been explicitly mentioned that the mother of the respondent has passed away on 20.03.2023.

At this stage, Ld. Advocates for both parties submit that they intend to file

affidavit-in-reply and counter affidavit in respect of the aforesaid factual dispute.

As such, for the ends of justice, the matter is adjourned for the time being.

Fix **15.07.2026** for filing affidavit-in-reply and counter affidavit by both parties and for further hearing of the application filed under Section 5 of the Limitation Act dated 25.07.2024.

Dictated & corrected by me,

Sd/- Sri Biswarup Bandyopadhyay

District Judge

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