

T. S. No.48 of 2010

Order No.129

Date : 19.06.2015

Today is fixed for cross-examination of PW-1 and hearing petition dt.13.05.2015 filed by the plaintiff praying for direction upon the defendant to deposit Rs.3,50,000/- in the hand and custody of receiver as well as all documents related thereby.

Defendant raised strong objection by filing written objection.

The contention of the plaintiff/petitioner is that violating the order of this court, the contesting defendant inducted a tenant namely, Farzana Begum by receiving Rs.3,50,000/- as salaami in the 1st week of the month of May 2015 beyond the knowledge of the receiver. Defendant-3a to 3d as well as 4 by written objection denied the allegation of the plaintiff duly verified. Ld. Advocate of the defendant submits that plaintiff should file affidavit supporting his contention.

I have gone through the previous order sheets from the copy supplied by the Ld. Advocate for the plaintiff as the order sheets are not available with the record. Receiver was appointed vide order-112 dt.25.06.2014 for receiving and collecting the rents from the tenants. From the hearing of both sides, it does not appear whether the contention of the plaintiff is true or false. Apparently, there is no violation of the order of this court. However, the receiver is directed to submit a report after verification of all the tenants whether the allegation of the plaintiff is correct or not by the next date after informing the Ld. Advocates of both sides.

PW-1 is present and is cross-examined in part and deferred.

Ld. Advocate of the plaintiff submits that he is not coming in this court due to performance of Ramzaan till 19th of July and prayed for a long adjournment.

Considering his submission and one month's ramdan, this case is adjourned to 21.07.2015 for further cross-examination of PW-1. Ld. Advocate of the defendant is requested to be prepared for completion of cross-examination.

D/c by me.

Judge, S.C.C., Sealdah.

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