

JO Code: WB01068
Order No. 44
Date: 22.04.25

Ld advocate on behalf of the plaintiff and defendant no. 1 file their respective haziras.

The petition for seeking for permission of the court to file additional W/S and another petition u/o. 8 rule 9 CPC both dated 30.06.2024 filed by the defendant no. 1 are taken up for passing order.

Heard both sides.

During hearing ld advocate for the defendant no. 1 that the defendant has found out one deed of his mother being sale deed no. 2867 of 1962 and RS khatian no. 414 and so the defendant has sought for including the same in his W/S.

The plaintiff has raised objection on the ground that the same is not subsequent fact.

Considering for the interest of proper adjudication of the proceeding I am inclined to allow the petition of the defendant no. 1.

Hence, leave is granted to defendant no. 1 to file additional W/S.

The petition u/so 8 rule 9 CPC filed by defendant no. 1 is hereby allowed.

The application u/o 11 r. 2 & 4 of CPC dated 11.03.2024 filed by the plaintiff is taken up for hearing.

The Ld. Advocate on behalf of the plaintiff submits that the defendant no. 1 has stated in his written statement that the suit is bad for non-joinder of necessary parties he therefore prays that the interrogatories be allowed and the defendant no. 1 be directed to furnish the names of the necessary parties.

Prayer is considered and allowed.

Defendant no. 1 is directed to furnish the names of the necessary parties.

To 14.07.2025 for reply, compiled pleading and hearing petition u/o 39 rule 7 dated 11.11.2024.

D/C by me

Sd/-
ACJM-cum-CJSD, Kakdwip

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