

T.S- 39/14 (CIS-156/15)

Order No. 168 Dated 13/02/2025

Today is fixed for hearing on Commissioner Report.
Parties files their respective hazira through Ld. Advocate.
Hearing on Commissioner Report both sides and before being discharged.
Ld. Advocate for plaintiff files a petition praying for time for hearing of on the
ground stated therein.
Heard, Considered.
Prayer for adjournment by plaintiff is allowed. While document Parts of C. Report
Markes **exhibit- 1 series**

Fix : **20/03/2025** for hearing acceptance of Commissioner Report.

S/d- Lipika Das

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 68 Dated 13/02/2025

Today is fixed for exparte evidence.

Ld. Advocate for the plaintiff files a petition praying for time for evidence on the ground stated therein.

Heard ,Considered.

Prayer for adjournment by plaintiff is allowed.

Fix : **12/03/2025** for evidence of P.W-2.

Civil Judge (Jr. Div) Addl. Court
Garhbeta, Paschim Medinipur.
Judicial Code- WB01479

J.Misc (P.emp) - 08/22(CIS - 04/18)
(CNR - WBWM11- 000041 - 2018)

Order No . 63, Dated 11.02.2025

Today is fixed for passing order in respect of petition under section 151 of CPC dated 19.09.2024, filed by the O.P.

Both parties file representative hazira through their Advocates.

Ld. Advocate of the O.P. submitted before this Court that the petitioners have institute this Pre emption case in respect of property of deed no 796 dated 31.01.2018 which was registered before the ADSR , Garhbeta and at the time of filing of this case the petitioner has filed the certified copy of the aforesaid deed along with the petition and also deposited part deposit of the consideration money that is the 10 % of the actual consideration money and if at the time of the case the petitioner would not file the certified copy then the petition would have been automatically return and in the said alleged deed the set forth value and the market value of the pre-empted property has been mentioned as Rs. 99,501 /- and petitioners have mentioned in their petition the inflated price of the pre- emptied property is Rs. 99,000 /- instead of Rs. 90,501/- but they deposited Rs. 50,000/- as consideration money along with 10% compensation that is Rs. 5000/- as total Rs. 55,000/- they have deposited and this Rs. 55,000/- is a part deposition and it is totally illegal . This O.P. on 11.06.2024 filed one application by mentioning the part deposition fact of the petitioner but the said petition was rejected by this Court .The submission of the O.P. continues that non of the witness of the petitioners has failed to prove the fact that the actual consideration money of the pre- emptied property is Rs. 50,000/- irrespective of Rs. 90,501/- and this O.P. has filed the original deed before this Court and as per the latest Supreme Court judgment part deposit of consideration money in pre-emption case is liable to be rejected. This O.P. has prayed before this Court to reconsider the order dated 22.08.2024 and the earlier petition dated 11.06.2024 of the O.P. as the present pre-emption suit is not maintainable and liable to be rejected.

Ld. Advocate of the petitioner has raised strong objection and submitted before this Court that the matter has been already determined by this Court and after such determination this Court has passed its order and the O.P. did not preferred any revision against such order dated 11.06.2024 before the higher forum and the latest Supreme Court judgment in this respect has no retrospective effect and the principle of Barasat Eye Hospital judgment passed by Ho'nble Supreme Court has no implication in this present case and the present Court has rightly passed the order dated 11.06.2024. He prayed for the rejection of the petition of the O.P.

Heard & considered.

Perusing the materials available in the case record this Court found that at the time of passing of order dated 22.08.2024 the petitioner have not filed the alleged deed being no 796 dated 31.01.2018 by which the O.P. has purchased some portion of the suit plot and by such transfer the petitioners accrued the right of Pre-emption right of the suit property but the O.P. also did not filed the said deed before this Court and for that reason the Court did not get the scope to

compare what is the actual consideration price of the Pre-empted property. At the time of hearing the O.P. submitted before this Court that petitioner has already filed the said alleged deed at the time of institution of this case . However, now this Court has found the alleged deed being no 796 dated 31.01.2018 in the record and after scrutinizing and the comparing the alleged deed this Court has found that in the original deed being no 796 dated 31.01.2018 , the price of the Pre-empted property has been written as Rs. 99,501 /- and the government market valuation of the Pre-empted property is also Rs. 99,501/- and at the filing of this Pre-emption case the petitioner has mentioned in their petition that the actual consideration price of the Pre-empted property is Rs. 50,000/- but the O.P. intentionally has conspired and mentioned the inflated price of the Pre-empted property as Rs. 99,501/-and for this reason the petitioner has deposited the actual consideration amount i.e, Rs. 50,000/- and filed 10% of the actual consideration i.e, Rs 5000/- as total Rs. 55,000/- before this Court. Coming to the application of the principle of landmark judgment of **Barasat Eye Hospital Vs. Kaustabh Mondal ,AIR ONLINE 2019 SC 2075,(2019) 14 SCALE 90, AIRONLINE SC2317** case , the Apex Court has clearly mentioned in its judgment that , "the pre-requisite to even endeavor to exercise this weak right is the deposit of the amount of sale consideration and the 10% levy on that consideration as otherwise , section 8(1) of the said Act will not be triggered off, apart from making even the beginning of section 9(1) of the WBLR Act." In the same judgment the apex Court has also guided with the principle for deposition of the balance consideration amount in a Pre-emption case and the Hon'ble Court

holds that , "once the time period to exercise a right is sacrosanct, then the deposit of the full amount within the time is also sacrosanct . The two go hand-in-hand . It is not a case where an application has been filed within time and the amount is deficit but the balance amount has been deposited within the time meant for the exercise of the right , the right under the would be triggered off on deposit of the amount which ,in turn , would be within the time stipulated for triggering the right . That not having happened , we are of the view that there can not be any extension of time granted to the respondent now to exercise such a right.'

It is very clear from the alleged deed being no 796 dated 31.01.2018 , itself that the actual consideration price of the Pre-empted property is Rs. 99,501/- and the government valuation is also same but the petitioners have intentionally mentioned the lower amount that is Rs. 50,000/- as the price amount of the Pre-empted property and that is a short deposit . Apart from this the statute is very clear about the deposition that is ,. Section 8(1) of WBLR Act"....., **apply to the Munsif having territorial jurisdiction , for transfer of the said portion or share of the plot of land to him ,subject to the limit mentioned in section 14M on deposit of the consideration money together with further sum of ten per cent of that amount."** As the apex Court has hold in **Barasat Eye Hospital Vs. Kaustabh Mondal ,AIR ONLINE 2019 SC 2075,(2019) 14 SCALE 90, AIRONLINE SC2317**, that to exercise the right of Pre-emption has to claim such right along with the deposition of such actual consideration money along with 10% levy , it goes hand-in-hand , as such it is a pre condition to file a Pre-emption case , and the statute itself did not provide any kind of extension of such deposition. However , in this present case the petitioners have intentionally stated a lower valuation of the Pre-empted property and as such the deposition of the consideration amount is short and the petitioners would not going to allow for deposition of the deficit amount by this Court . Thus the the present Pre-emption petition is not at all maintainable . Hence, it is

ORDERED

That the order dated 22.08.2024 , passed by this Court is hereby **recalled** .

The petition dated 11.06.2024 and the petition dated 19.09.2024 under section 151 filed by the O.P. be and both the petitions are hereby **allowed on contest** .

Hence, the present Pre-emption case no 8/22 (CIS - 4/18) be and the same is dismissed on maintainable ground .

The deposited consideration amount is to be returned to the petitioner from the department of the Nazarat.

BC is hereby directed to make note in the concerned Register.

T/C by me
Court

Civil Judge Jr. Div. Additional

Garhbeta.

No

Title Suit –4/25 (CIS - 4/25)

CNR – WBWM11 – 000008 - 2025

The record is put up today on the basis of put up petition filed by the plaintiff.
“No caveat” is pending.

Plaintiff has filed the instant suit against the defendants seeking declaration and permanent injunction.

The plaintiff filed an injunction petition under O 39 R 1 & 2 and under section 151 of CPC. along with the plaint against the defendant nos. 1 to 5 in respect of the suit property mentioned in the schedule of the petition as well as the plaint.

The facts of the case in nutshell, in Dist – Paschim Medinipur , P.S. Garhbeta, bagri Pargona J.L. No 529, mouza - Ausabandi, 68 and 2/3 decimal of land out of 1 acre 03 decimal in R.S khatian 118, L.R. khatian 471,472,483,612,613,614,615,616 , 48 decimal out of 95 decimal in the eastern portion of dag no 298,37 decimal out of 73 decimal in the eastern portion of dag no 259, 18 decimal out of 37 decimal in the eastern portion of dag no 260,in the suit property and in the north of the suit property there is property of Garar Mandi, in the south property of Pari Khatun , in the east of the suit property there is a road , in the west side there is property of Ramesha Khatoon . According to the plaintiffs total 2 acre 05 decimal of land in suit mouza including the suit property was belonged to one Ankesh Kumar Chakrabarty and the sons of one Jamidar Dalal namely Murtuja Hossain @ Murtuja Hossain Dalal and Mainuddin Hossain @ Mainuddin Dalal took settlement of the suit property from Ankesh Kumar Chakrabarty at yearly rent of Rs 5/- and their names had been finally published in R.S.khatian no 118 in RS. ROR and in the year both the aforesaid brothers made an amicable partition of the total 2 acre 05 decimal in between themselves and demarcated their shares and according to that amicable partition Mainuddin Hossain @ Mainuddin Dalal got 1 acre 2 and ½ decimal of land half of 2 acre 05 decimal in the eastern portion and Murtuja Hossain @ Murtuja Hossain Dalal got 1 acre 2 and ½ decimal of land half of 2 acre 05 decimal in the western portion and since then they had been in possession of their demarcated respective shares.Mainuddin Dalal had sold out his 1 acre 2 and ½ decimal of land in the eastern side to

one Arshad Ali Mondal on 23.04.1968 by a registered deed of sale being no 2861 and since then Arshad Ali Mondal was in possession of the said 1 acre 2 and ½ decimal of land in the eastern side. Murtuja Hossain Dalal sold 36 decimal of land out of 73 decimal from dag no 259 from his total property in favour of one minor Majid Mallick represented by his father Alfajuddin Mallick in the year 1975 by a registered deed of sale. Murtuja Hossain Dalal had also sold 66 decimal of land of suit dag 258 in favour of Alfajuddin Mallick and said Alfajuddin Mallick had 36 decimal in 259 dag in the name of his minor son and had 66 decimal in dag no 258 and 259 in his own name and also was in possession of the said properties and hence Alfajuddin Mallick had total 1 acre 2 and ½ decimal which was previously belonged to Murtuja Hossain Dalal. Arshad Ali Mondal had sold 51 and ¼ decimal of land out of 1 acre 2 ½ decimal of land in favour of one Maniriddin Khan on 29.03.1978 and rest half portion sold to one Safiuddin Khan on 29.03.1978 and since then both of them were in possession of their purchased properties and they got property in eastern portion of dag nos 258, 259 and 260. After that Maniriddin Khan, Safiuddin Khan, Mainur Ali Khan, Mohammad Ali Khan and minor Rahaman Ali represented by his natural guardian father Noor Md Khan jointly sold total 1 acre 03 decimal from dag nos 258, 259 and 260 in favour of Arshad Ali Mondal on 13.05.1985 and since then Arshad Ali Mondal was in possession of total 1 acre 03 decimal of property. Then the said Arshad Ali Mondal had sold 68 and 2/3 decimal of land along with Bengali boundary in favour of these plaintiffs on 02.05.1992 with a registered deed of sale being no

2025 and since the time of purchase the plaintiffs are in possession of the said 68 and 2/3 decimal of land. The said Arshad Ali Mondal sold the eastern portion of his property in favour of the plaintiffs and the rest portion 34 and 1/3 decimal of property had sold to one Pari Khatun with Bengali boundary on 02.05.1992 before the Garhbeta, Sub

Registrar and since then Pari Khatun is in possession of the said property. These plaintiffs have turned the suit property into a flat land by leveling it as previously it was a low land and they are possessing the suit land by cultivating paddy, potato, sesame seeds etc. and previously there was no road in the eastern side of the suit land and nothing mentioned in the chauhaddi as road in the deed of the plaintiffs by which plaintiffs have purchased the suit but after that one morum road has been created at the eastern side of the suit property from Raida village to Gilabono village and later the road has been constructed as pitch road and it raised the market value of the suit property. Plaintiff no 1's name has been recorded in L.R. khatian 471 and plaintiff no 2's name has been recorded in L.R. khatian 472 and pro forma defendant no 6's name has been recorded in L.R. Khatian no 483 and finally published. Plaintiff no 1 has made conversion of few portion of the suit property as Bastu land and after investigation by the concerned department 02 decimal of land in dag no 259 and 04 decimal in 260 dag property has been converted into Bastu land from Dhani Soyem. Similarly plaintiff no 2 has also made application for conversion and after duly investigation 06 decimal in dag no 259 has been converted and both the plaintiff have got the valid documents in respect of the conversion from the B.L&L.R.O. The plaintiffs have raised their residential units with brick and cement and raised this up to the roof and the pro-forma defendant no 6 has also raised her residential unit upon the property which she had purchased and also running her tea stall in the said property. Plaintiffs are continuously paying their rent and taxes before the concerned department time to time. The defendants or their predecessor had or have no right, title, interest and possession over the suit property. The defendants have no blood relation with Alfajuddin Mallick and there is no such title deed in the name of Asruf Khan if the defendants has any title deed in respect of the suit property then that will be a false deed. 1/8 share has been recorded in suit dag in khatian no 613, 615 and 618 in the name of each defendant no 1, 2 and 3 and 1/16 share has been recorded in khatian no 612 and 616 in the name of defendant no 4 and 5 and they are in possession of total 1 acre 2 and ½ decimal of land. As presently the suit property turned into a valuable property, the defendants gave threat to the plaintiffs on 26.12.2024 or 10th Poush, 1431 B.S. as they will dispossess the plaintiffs from the suit property and they will give boundary to the suit property with fence forcefully and they will raised new construction over the suit property and they have collected cemented pillars for the boundary of the suit property and the plaintiffs are compelled to file this suit.

The cause of action of the suit arose on 26.12.2024 or 10th Poush, 1431 B.S. at the suit property within the jurisdiction of this Court when the defendants gave threat to the plaintiff that they will take the illegal and forceful possession of the suit property and raised construction over there.

The plaintiff has filed some documents i.e., original R.S parcha of dag no 258, 259 and 260, certified copy of the sale deed for the year 23.08.1968, certified copy of sale deed

dated 17.01.1975, certified copy of sale deed dated 17.01.1975, two certified copies of sale deeds dated 29.03.1978, certified copy of sale deed dated 13.05.1985, two certified copies of sale deeds dated 04.05.1992, Xerox copy of , L.R Ad LRO of conversion , information slip of Ausabandi mouza.

Perused the materials available on record & considered .

Perusing the material available in record , I have found the documents supplied by the plaintiffs are enough to establish a prima facie case in favour of the plaintiffs as apparently the documents shows that the plaintiffs are in possession of the suit property 68 and 2/3 decimal of land and the balance of convenience and inconvenience of the fact lies in favour of plaintiffs. If the defendants will successful to grab the suit property by dispossessing the plaintiff from the suit property with the boundaries then only plaintiffs will suffer irreparable loss and injury for the time being. Accordingly, I have no doubt to allow this prayer of injunction in ad interim form .

Hence, it is

ORDERED

that, the order of injunction is allowed in ad interim form and the defendants are here by restrained from creating any kind of disturbance in the peacefull possession of the plaintiffs in the suit property.

The order of **ad interim** is subject to extension from time to time, if prayed for and allowed or unless changed or varied.

Plaintiffs are directed to comply with this order strictly according to law.

To date for filing objection by the defendants if any.

T/c by me.

Civil Judge Jr.Divn Garhbeta Additional Court

T.S- 03/22 (CIS-231/17)
(CNR- WBWM11-000274 -2017)

Order No. 80 Dated 21/01/2025

Today is fixed for argument

New Advocate sri Shyamal Kumar Mahapatra has appointed by fresh Vokalotnama behalf of plaintiff and praying for time for argument on the ground stated therein.

Heard. Considered.

Prayer for adjournment by plaintiff is allowed .

Defendants files hazira.

Fix : 28/01/2025 for argument.

S/d- Lipika Das
Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 14 Dated 27/01/2025:

Today is fixed for filing W/S.

Plaintiff is present, by filing hazira.

Ld. Advocate for the defendant files a petition praying for time for filing W/S on the ground stated therein.

Heard. Considered.

Prayer for adjournment by plaintiff is **allowed**.

Fix **21/02/2025** for filing W/S by the sole defendant.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

T.S-23/2022(CIS-296/2017)

Order No. 87 Dated 27/01/2025:

Today is fixed for Evidence of D.W-1.

Plaintiff is present, by filing hazira.

Ld. Advocate for the defendants file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **28/02/2025** for evidence of D.W-1.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

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Order No. 83 Dated 27/01/2025:

Today is fixed for Evidence of D.W-1.

Defendant is present, by filing hazira.

Ld. Advocate for the plaintiffs file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by plaintiff is **allowed**.

Fresh vokalatnama, filed on behalf of the plaintiffs, is **accepted**.

Fix **28/02/2025** for evidence of D.W-1.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

J.Misc-01/2018(CIS-05/2018)

Order No. 109 Dated 27/01/2025:

Today is fixed for argument.
Plaintiff is present, by filing hazira.
Argument has commenced and heard-in-full today.
Fix **31/01/2025** for passing order.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 08 Dated 27/01/2025:

Record is taken on board, on strength of a Put-up petition filed by Ld.Advocate, on behalf of the plaintiffs.

Ld.Advocate, for the plaintiffs file a verified petition, praying for necessary order to withdraw the instant Suit, on the ground stated therein.

Copy is duly served. Objection raises.

Let the petition be kept with the record.

Fix **04/02/2025** for hearing of petition dated: 27-01-2025. W/O if any in the meantime.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

T.S- 23/2024 (R-47/24)

Order No. 03 Dated 28/01/2025:

Today is fixed for S/R, taking fresh steps and filing W/S.

S/R upon defendant No. 14 has been received after being duly served but no appearance is made by him.

Hence the instant Suit shall be heard Ex-parte against Defendant No. 14.

Ld. Advocates for the plaintiffs and defendant files adjournment petitions praying for time for taking steps and filing W/S respectively, on the grounds stated therein.

Heard. Considered.

Prayer for adjournment filed by both plaintiff and defendant are **allowed**.

Fix **01/03/2025** for taking fresh steps upon defendant nos. 2 and 11 and filing W/S upon defendant nos. 3,5 to 10,12.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 70 Dated 28/01/2025:

Today is fixed for P.H.

Defendants are present, by filing hazira and fresh vokalatnama.

Vokalatnama is **accepted.**

Ld. Advocate for the plaintiff file a petition praying for time for evidence of P.W-4 on the ground stated therein.

Heard. Considered. Prayer for adjournment filed by plaintiff is **allowed.**

Fix **01/03/2025** for evidence of P.W-4.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

T.S- 03/2006 (R-36/2018)

Order No. Dated 28/01/2025:

Today is fixed for argument.

Defendants are present, by filing hazira.

Plaintiff is present by filing hazira and fresh vokalatnama.

Vokalatnama is **accepted**.

Argument has commenced and heard in part today.

Fix **17/02/2025** for further argument.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 62 Dated 29/01/2025:

Today is fixed for hearing of petition.

Both the parties are present, by filing hazira.

Petition U/S-151 of CPC dated 19-09-2024 is taken up for hearing.

Heard both sides. Perused the materials available.

Hearing of petition has been completed

Fix **11/02/2025** for passing order.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 04 Dated 29/01/2025:

Today is fixed for filing W/S.

Plaintiffs are present, by filing hazira.

Ld. Advocate for the defendants file a petition praying for time for filing W/S on the ground stated therein.

Heard. Considered. Prayer for adjournment filed by defendant is **allowed**.

Fix **03/03/2025** for filing W/S by defendants No.s 1,2,4 and 5 to 7.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 81 Dated 29/01/2025:

Today is fixed for Evidence of PW-6.

Both the parties are present, by filing hazira.

PW-6 namely, Rajkumar Bera is present with authorization letter from PNB, Mandalkupi Branch. He is examined and cross-examined in full before being discharged. While examination, the Authorization letter is duly marked as **Exhibit-7** and both the original copy and replaced copy of Sale Deed bearing No.7331/1975 is duly marked as **Exhibit-8**. The original copy is returned after keeping the replaced copy and after proper verification. On prayer of Ld.Adv for the plaintiff by a petition time for adducing further evidence is **allowed.**

Fix **04/03/2025** for Evidence of PW-7.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 62 Dated 29/01/2025:

Today is fixed for Evidence of P.W-1.

Defendant is present, by filing hazira.

Plaintiff files fresh vokatnama.

Vokatnama is **accepted.**

Ld. Advocate for the plaintiffs file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by plaintiff is **allowed.**

Fix **04/03/2025** for evidence of P.W-1.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

T.S-01/2017(R-142/2017)

Order No. 267 Dated 29/01/2025:

Today is fixed for awaiting order.
No final order is drawn in the J.Misc case
Fix **04/03/2025** for awaiting order.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

J.Misc-01/2022(R-01/2022)

Order No. 268 Dated 29/01/2025:

Today is fixed for taking steps.
O.P is present, by filing hazira.
Plaintiff files fresh vokatlatnama.
Vokatlatnama is **accepted**.
Ld. Advocate for the plaintiffs file a petition praying for time for taking step
on the ground stated therein.
Heard. Considered.
Prayer for adjournment filed by plaintiff is **allowed**.
Fix **04/03/2025** for taking steps upon O.P no.7.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 78 Dated 30/01/2025:

Today is fixed for Evidence of D.W-3.

Plaintiff is present, by filing hazira.

Defendant is present, by filing hazira, supported by fresh vokatnama.

Vokatnama is **accepted**.

Ld. Advocate for the Defendant file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **05/03/2025** for evidence of D.W-3.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 02 dated: 30/01/2025:

Today is fixed for S/R.

S/R upon defendant Nos. 1,4,6 & 7 has been received after being duly served.

Defendent No.7 not appeared

Hence the instant Suit shall be heard Ex-parte against Defendent No. 07.

Rest 06(six) defendants have appeared today by filing fresh vokatnama today.

Ld. Advocate for the defendants file adjournment petitions praying for time for filing W/S respectively, on the grounds stated therein.

Heard. Considered.

Prayer for adjournment filed by Ld. Adv for defendant is **allowed**.

Fix **06/03/2025** for filing W/S by the defendants.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 14 Dated 30/01/2025:

Today is fixed for hearing of petition.

Plaintiff is present, by filing hazira.

State defendant files an adjournment petition.

Let it be kept with the record.

Petition dated 08-01-2025 is taken up for hearing.

Heard both sides. Perused the materials available.

It appears that the grounds shown from the end of state defendant for non-appearance after receiving summons of this court, is not admissible.

Hence ex-parte vacate petition filed by State defendant is **Rejected.**

Fix **06/03/2025** for evidence of PW-2.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 155 Dated 30/01/2025:

Today is fixed for Evidence of D.W-3.

Ld. Advocate for the Defendant file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Neither appeared nor even any step is taken by the plaintiff.

Hence, plaintiff is to file show cause as to why the instant suit shall not be dismissed.

Fix **07/03/2025** for filing show cause by the plaintiff.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 08 Dated 30/01/2025:

Today is fixed for filing W/S.

Plaintiffs files a verified petition, praying for necessary order to extention of the injunction order, on the ground stated therein.

Heard.Considered.

Prayer is **allowed** and injunction is **extended** till the next date.

No appearance is made by the defendant not even step any is taken.

Hence defendant is to show cause as to why the instant suit shall not be heard ex-parte against the instant suit.

Fix **07/03/2025** for filing Show cause by the defendent.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 249 Dated 31/01/2025:

Today is fixed for argument.

Defendant is present, by filing hazira.

plaintiffs are present, by filing fresh vokatnama.

Vokatnama is **accepted.**

Ld. Advocate for the Plaintiff file a petition praying for time for argument on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by plaintiff is **allowed.**

Fix **10/03/2025** for argument by the defendants.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 72 Dated 31/01/2025:

Today is fixed for Evidence of PW-5.

Defendant is present, by filing hazira.

plaintiff is present, by filing fresh Vokatnama.

Vokatnama is **accepted**.

Ld. Advocate for the Plaintiff file a petition praying for time for evidence of PW-5 on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by plaintiff is **allowed**.

Fix **10/03/2025** for evidence of PW-5.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 06 Dated 01/02/2025:

Today is fixed for filing W/S and W/O.

Defendant files W/O upon injunction petition. Copy is duly served.

Defendant files written statement. Copy is duly served.

Let them be kept with the record.

Both the W/S and W/o are **accepted**.

Plaintiffs files a verified petition, praying for necessary order to extention of the injunction order, on the ground stated therein.

Heard.Considered.

Prayer is **allowed** and injunction is **extended** till the next date.

Fix **11/03/2025** for hearing of injunction petition.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

T.S-04/2016(R-08/2017)

Order No. 123 Dated 01/02/2025:

Today is fixed for Evidence of DW-1.

Both the parties are present by filing their respective hazira.

Ld. Advocate for the defendant file a petition praying for time for evidence of DW-1 on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **12/03/2025** for evidence of DW-1.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 04 Dated 01/02/2025:

Today is fixed for S/R of notice.

Plaintiffs files a verified petition, praying for necessary order to extention of the injunction order, on the ground stated therein.

Heard.Considered.

Prayer is **allowed** and injunction is **extended** till the next date.

No S/R is received upon the defendents.

Plaintiff is directed to take fresh steps upon the defendants in both ways.

Fix **12/03/2025** for taking steps by the plaintiffs.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 09 dated: 24/01/2025:

Today is fixed for S/R.

S/R upon defendant Nos. 3 has been received after being duly served.

Defendent No.3 not appeared

Hence the instant Suit shall be heard Ex-parte against Defendent No. 03.

S/R upon Defendant no.1 is received after being served by way of affixation, which is not satisfactory.

Let it be kept with the record.

Plaintiff is directed to take fresh steps upon Defendant no.1

Fix **18/03/2025** for taking steps by plaintiff.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 277 Dated 24/01/2025:

Today is fixed for ex-parte hearing of PW-2.

Plaintiff is present by filing hazira.

Defendant files a petition, praying for time for ex-parte hearing of PW-2,
on the ground stated therein.

Heard.Considered. Prayer is **allowed**.

Fix **17/03/2025** for ex-parte hearing of PW-2.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 10 Dated 05/02/2025:

Today is fixed for ex-parte hearing.

Plaintiff is present, by filing hazira.

Affidavit-in-chiefs has been filed on behalf of the witnesses namely- Sourav Rana and Senapati Parui. Let them be kept with the record.

Plaintiff files documents as per list. Let them be kept with the record.

PW-1 namely, Sourav Rana is examined in full before being discharged. While examination, the G.D dated 23-09-2010 is duly marked as **Exhibit-1** and News paper publication dated 26-05-2022 is duly marked as **Exhibit-2 and** the Aadhaar Cards of PW-1 and PW-2 is marked as **Exhibit-3 series**, the Voter Cards of PW-1 and PW-2 is marked as **Exhibit-4 series**.

Fix **12/03/2025** for Evidence of PW-2.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 132 Dated 05/02/2025:

Today is fixed for Evidence of DW-1.

Defendant is present by filing hazira.

Ld. Advocate for the defendant file a petition praying for time for evidence of DW-1 on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **13/03/2025** for evidence of DW-1.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 04 Dated 05/02/2025:

Today is fixed for filing W/S.

Defendant is present by filing hazira.

Ld. Advocate for the defendant file a petition praying for time for filing W/S on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **13/03/2025** for filing W/S by defendant nos. 1 to 3 and 5.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 164 Dated 05/02/2025:

Today is fixed for Evidence of DW-1.
plaintiff is present, by filing fresh Vokatnama.

Vokatnama is **accepted**.

Ld. Advocate for the defendant file a petition praying for time for evidence of DW-1
on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **13/03/2025** for evidence of DW-1.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 56 Dated 05/02/2025:

Today is fixed for taking steps upon defendant no.6.

Defendant is present, by filing hazira.

Ld. Advocate for the plaintiff files requisites upon defendant no.6

Issue the same at once.

Fix **18/03/2025** for S/R.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 47 Dated 06/02/2025:

Today is fixed for taking steps upon JDR no. 5,6 and 11.

Dhr. is present, by filing fresh Vokalatnama.

Vokalatnama is **accepted**.

Ld. Advocate for the Dhr. file a petition praying for time for taking steps on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by Dhr. is **allowed**.

Fix **18/03/2025** for taking steps upon JDR no. 5,6 and 11.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 140 Dated 06/02/2025:

Today is fixed for filing amended plaint and taking steps.

Defendants are present, by filing hazira.

Ld. Advocate for the plaintiff file a petition praying for time for taking steps on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by plaintiff is **allowed**.

Fix **18/03/2025** for filing amended plaint and taking steps upon defendant nos 29, 30/ka to 30/uya.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 122 Dated 06/02/2025:

Today is fixed for hearing of petition.

Plaintiff is present, by filing fresh Vokatnama.

Vokatnama is **accepted.**

Fix **18/03/2025** for hearing of petition dated 23-09-2024.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 65 Dated 06/02/2025:

Today is fixed for Evidence of DW-2 .

Defendant is present, by filing fresh Vokatnama.

Vokatnama is **accepted.**

Plaintiff is present by filing hazira.

Ld. Advocate for the defendant file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed.**

Fix **19/03/2025** for Evidence of DW-2.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 75 Dated 06/02/2025:

Today is fixed for Evidence of DW-1.

Plaintiff is present by filing hazira.

Ld. Advocate for the defendant file a petition praying for time for evidence on the ground stated therein.

Copy served. Objection raised.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**, with subject payment of **cost of Rs.300/-**

Fix **19/03/2025** for Evidence of DW-1 and payment of cost of Rs.300/-

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 63 Dated 06/02/2025:

Today is fixed for Evidence of DW-1.

Plaintiff is present by filing hazira, supported by filing fresh Vokatnama.

Vokatnama is **accepted**.

Ld. Advocate for the defendant file a petition praying for time for evidence on the ground stated therein.

Heard. Considered.

Prayer for adjournment filed by defendant is **allowed**.

Fix **19/03/2025** for Evidence of DW-1.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

Order No. 15 Dated 07/02/2025:

Today is fixed for filing W.S.

Plaintiff is present by filing hazira.

Ld. Advocate for the defendant file a petition praying for time for filing W.S.
on the ground stated therein.

Copy served. Objection raised.

Heard. perused.

Prayer for adjournment filed by defendant is **allowed**, with subject payment of **cost of Rs.500/-**

Fix **19/02/2025** for filing W.S and payment of cost of Rs.500/-

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479

T.S-08/2016(R-19/2017)

Order No. 202 Dated 07/02/2025:

Today is fixed for commissioner Report.
Defendant is present by filing hazira.
No commissioner Report has yet been received.
Fix **19/03/2025** for awaiting commissioner Report.

**Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479**

Order No. 05 Dated 07/02/2025:

Today is fixed for taking fresh steps upon sole defendant.

Nneither appeared, nor even any step is taken by the plaintiff today.

As such plaintiff is to show cause as to why the instant suit shall not be dismissed.

Fix **20/03/2025** for filing Show cause by the plaintiff.

Civil Judge Jr.(Div) Addl.Court
Garhbeta, Paschim Medinipur
Judicial Code WB0 1479