

**17.09.2025
Item no.05
Court No.50**

**Sukesh @ Sukes Ghosh & Ors.
VS
Sahadeb Basak @ Tanti & Ors.**

Ld. Advocate Tarak Nath Halder appears for appellant.

Perused the report of the superintendent SA section.

Heard the submission of the Ld. Advocate for the appellant.

It is mentioned in the report of the department concerned that in compliance with the order dated 21.03.2025, the Ld. First Appellate Court sent back the certified copy of the decree vide letter dated 13.05.2025 but, no information regarding correction of certified copy of the decree of the Ld. Trial Court in connection with Partition Suit No. 135/2009 has yet been received by the department.

Ld. Advocate for the appellant has pointed out that although Ld. First Appellate Court has mentioned in his letter, referred above, that certified copy of the decree has sent after necessary correction but, the same is actually partly corrected as the directions mentioned in point no. 3 of the order dated 21.03.2025 has not been complied with.

On going through the said letter of the Ld. First Appellate Court it appears that it is mentioned by the Ld. Court concerned that the T.C.R has been transmitted along with certified copy of the decree in appeal after necessary correction but it could not be ascertained as to whether the department has received the said T.C.R or not. No report by the concerned department has also been filed in respect of the response of Ld. First Appellate court.

It is also found that the Ld. Trial Court did not send any communication as directed vide order dated 21.03.2025.

Considering the entire facts and circumstances, the department is directed to issue reminder to the Ld. Trial Court concerned for sending back the certified copy of the decree of Partition Suit No. 135/2009 after necessary correction, as directed vide order dated 21.03.2025 at the earliest.

The department is also directed to submit report as regards the contention of the First Appellate Court about correction of the certified copy of the decree in terms of the order dated 21.03.2025 on the next listing date.

Re-list this matter two weeks after puja vacation.

Registrar Administration (L&OM)