(3)

In The Court of Ld. 3rd ADJ. Barasat

Ref: T.A - 36/12

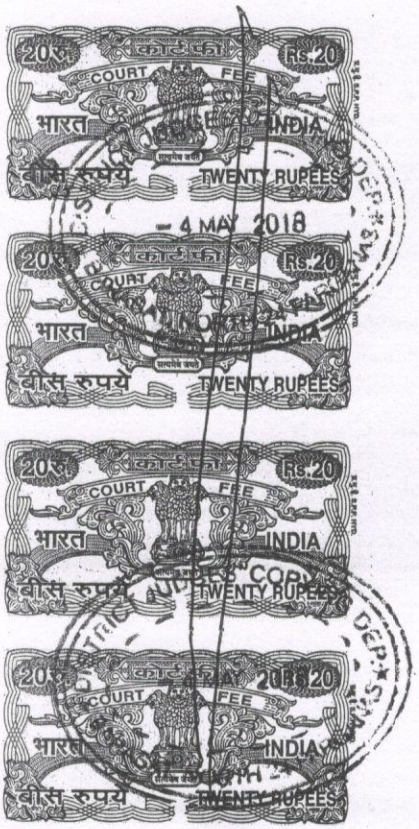
Tarun kr. Dass

- VS -

Arati Das

Petition No. X-5738 Dt. 4/5/18

Assessment Dptc 4/5/18



C-118

Checked by

1. Application for copy 04/05/18
2. [illegible] 04/05/18
3. [illegible] 04/05/18
4. [illegible] 04/05/18
4. Date of making over the copy to the applicant 04/05/18
5. Costs of copy Rs. 58/-
6. Number of the Xerox sheets 23+1=24 Sheet

T.A. No. 36 of 2012

Present : Sri N.K. Ghosal

Order No.1

Dtd. 5.6.2012 This is an appeal filed by the appellant against the Judgment passed on 24.04.2012 by Ld. 2nd Court of Civil Judge (Senior Division) at Barasat in T.S. No.205 of 2010.

Court fees paid is correct. Appeal filed within time. Let the T.A. be admitted.

Register the case as Title Appeal.

From the official note it appears that no caveat is pending.

Issue notice upon the respondents by both ways.

To 17.7.2012 for S.R.A.D.

The appellant whose prayer was discarded by the Ld. Lower court has preferred this appeal challenging the legitimacy of the order. In the grounds of appeal it is pleaded that the order passed by Ld. Civil Judge (Senior Division) 2nd Court at Barasat was made from a wrong perception.

An application under Order 39 Rules 1 & 2 read with Section 151 of C.P.C. is filed praying for an order of temporary injunction so that the respondents do not transfer the respective share in the suit property to any third party.

Heard. Perused the Judgment of the Ld. Lower court dated 24.4.2012 wherefrom it is clear that despite service of notice upon the defendants they did not appear to contest the case and that is why the suit was heard ex-parte but virtually it was dismissed. Upon analysis of the situation there cannot be any least doubt that if the prayer for ad-interim injunction is discarded the sole object of appeal will be completely frustrated. Moreso, if an ex-parte order in terms of the prayer of the appellant is granted no substantial harm will be caused to the respondents. So in the circumstances, I think that ad-interim order can be granted restraining the respondents from transferring their respective shares in the suit property to any third party.

Hence it is,

Ordered,

That the prayer of the appellant for ad-interim injunction is allowed.

The respondents are hereby restrained by an order of ad-interim injunction from transferring their respective shares in the suit property to any third party. The interim order will remain in force till the next date.

The appellant to comply the provision as laid down under Order 39 Rule 3(a) & (b) C.P.C. as per law.

Issue notice calling upon the respondents asking them to show cause within 10 days from the date of receipt thereof as to why the appellant's prayer for temporary injunction shall not be granted.

Requisites by both ways at once. Appellant to file postal receipt by the date fixed.

To-date, i.e., 17.7.2012 for S.R.A.D.

District Judge, North 24 Pgs

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Ord. NO 2
7/6/12

The appellant files an Affidavit along with PR showing the Compliance of the earlier order. Let it be Kept with the C/R.

The appellant also files two Separate petitions along with requisites and process fees praying for issuance of the summons urgently and Acceptance of the same on the ground stated therein — the Prayers are Considered and allowed. Issue the same as prayed for.

Todate i.e. 17.7.12.

D.J.

order No: 3
17/07/12

The appellant files herein A/D Cards upon the Respondents NO-1 and 2 have been returned having been duly signed by the Respondents and the Services of Summons are Satisfactory.

The Respondent NO-1 appears by filing Vakalatnama through Ld. Adv and files I/A NO 39 u/s 151 and 2 o/w the Section 151 of CPC supported by an affidavit and the copy is served upon the appellant and let the same be kept with the C/R.

The appellant files a petition supported by an affidavit Praying for extension of the order of ad-interim injuction as passed by the Ld. Court previously.

The interim Stay upon the judgement and decree in T.S NO-205 of 2010 is hereby extended till the next date.

NO A/D card for respondent NO-3.

fix 18/08/2012 for A/D card for respondent NO-3, S/R. appl and I/A if any by other Respondent.

Dictated by

D.J.

D.J.

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T.A - 36/12

04
18/08/12

The appellant and the Respondent No.1 & 2 are present through their respective Advocates.
The appellant also files a petition supported by an affidavit praying for extension of the order of ad-interim injunction as passed by the Ld. Court previously.
The respondents No-1 and 2 do not appear.
The interim stay upon the judgement and decree in T.S No-205 of 2010 is hereby extended till the next date.
No Afp Card for the respondent No-3.
Let the instant T.A. be transferred to the Court of Ld ADJ 3rd Court at Baramat for disposal fixing 18/09/12 for afp before the Ld. transferee Court with a request to call for LCR from the Court below from whom end and also with a direction to the appellant to take fresh steps upon the Respondent No-3 before the Ld. transferee Court.
D/c by

D.J.

ADJ.

23.8.12

Received the record from District Court Baramund for disposal.

Register
To be for afterwards

Additional District Judge
3rd Court Baramat

6-
18/9/12

Both the parties present.
Application of appellant filed u/o 39 r 1 & 2 CPC supported by an affidavit praying for extension of interim stay upon the judgement and decree dated 13/9/12 passed by Ld. ADJ 3rd Baramat in T.S 205/10 titled Mst. Shahnaz Begum Vs Mst. Rukhsana Begum & others. On call respondent No-1 & 2 are absent. Heard. Perused the record. The prayer for interim stay upon the judgement and decree in T.S 205/10 is hereby extended till the next date.
FD - 13/12

Legal L.C.R

7
13-12-12

8.
25/2/13

09
01.04.2013

Certified Copy
No. 1622
Dt. 2.4.13


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T.A. 36/12

10. 2/5/13

Applicant files a Vakalatnama.

Respondent Arati on file hasbeen ~~rejected~~ Ld. Advocate on behalf of the ~~Petitioner~~ Applicant

file receipt of formal copy with fixing regarding interim matter from Respondent No. 3 postal department & Ld. Advocate is also present on behalf.

Applicant is also file a Petition supported by an affidavit praying for extension of the interim Order, heard. Contd.

The interim order is extended till the next date. To 03/06/13 for appearance and filing W.S. and reply upon Respondent No. 3. Issue Notice R.C.R.

PKP

11. 03/06/13

Applicant as well as Respondent are also file vakalatnama.

Applicant is also file a Petition supported by an affidavit praying for extension of the interim order. Heard. Perused the record.

The interim order is extended till the next date. To 30.07.13 for appearance and filing W.S. as upon Respondent No. 3. Registry is directed to expedite the issue regarding R.C.R.

12. 12/6/13

Applicant file a Petition for withdrawal with a Petition supported by an affidavit u/s 151 C.P.C. Copy served upon is rec'd. Let it be kept with the record. Petition for withdrawal is allowed.

PKP


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T.A. 36/12

13.
20/6/13

[illegible] 12/6/13 is certified [illegible]
The [illegible] is moved.
Hd. Considered the submissions made by the Ld. Advocate for the [illegible] cannot be considered in the ordinary way.

In view of this, the applicant is directed to cause service of notice on the respondent by an advertisement in a daily newspaper circulating in the locality, in which the respondent is last known to have actually and voluntarily resided, carried on business, or personally worked for gain. Fix 30/07/13 for steps. Upon [illegible] and filing of draft copy of circulation or advertisement in newspaper

Directly issue.

14.
30/07/13.

Applicant is permitted to file copies in duplicate. Let it be approved and handed over to the parties on proper receipt of publication.
Fix 30-08-13 for filing news paper.
Applicant as well as Respondent to file

Affidavit

Application.
Supported by an affidavit praying for extension of the interim order granted. Learned
The interim order is extended
till the next date fixed (30/08/13)

15.
30/08/13

Applicant files affidavit.
Respondent Advocate files vakalatnama.
Applicant is allowed to file newspaper cuttings duly verified by Notary & let it be kept with the record.
Supported by an affidavit praying for extension of the interim order. Heard Learned
Advocate for the applicant.
The interim order is extended till the next date fixed
to 30/09/13 for further order.


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3rd ADJ

T.A 36/12

150

95-2

Respondent no 1. to be notified.
Respondent no 2 despite taking steps.
Respondent 3 despite appearance before this court
Executive having been elapsed after publi-
Cation of leading newspaper.
Applicant file a petition with a prayer
for extension of interim order in the
Enquiry is allowed.
The interim order is extended till
07-11-13 duly comparable
L.C.R. not yet been received
To 07/11/13 for hearing of injunction application
and for arrival of the L.C.R.

16.
30-09-13

17
07.11.2013

Respondent No 1 files vakalat. Appellant files a petition for extension of the interim order

None appears on behalf of the Respondents on repeated calls. Ld. Advocate for the appellant is present.

Heard. Today is the date fixed for hearing of the injunction application and for arrival of the L.C.R.

Due to non-appearance on behalf of the respondents at the time of call, the injunction application cannot be heard today.

Fix 07.12.2013 for hearing of the injunction application and for arrival of L.C.R.

ADJ, 3rd Court
Baruipur.

18
07.12.13

Respondent no.1 files a petition for adjournment.
Appellant files a petition for extension of interim order.
It appears that the respondent no.1 has not filed any W.O. till now, and the other respondents are also not appearing.
There is no reason to fix any early date for hearing of the injunction petition. Fix 15.03.2014 for hearing of injunction petition and L.C.R. Interim order is extended till 15.03.2014.
Petition for extension is thus disposed of.

ADJ, 3rd Court
Baruipur.


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17
15.03.2014

Both sides file vakalatnama. It appears that mutation as per petition dated 06.02.14 which was filed on that date but put up today along with the records.

19
15.03.2014

Both sides file vakalatnama. It appears that on 06.02.14 a petition was filed by the appellant but the same is put up today along with the records.

It appears from the above said petition particularly from the Xerox copy of the death certificate annexed therewith, that the respondent no. 1 Smt. Arati Das died on 21.01.2014. However, today the vakalatnama has been filed on behalf of the said deceased. It further appears that the petition dated 06.02.2014 was filed after serving copy of the same upon the Ld. Advocate for the said respondent.

The Ld. Advocate for the appellant and the Ld. Advocate for the deceased respondent are present. Ld. Advocate for the said respondent submits that since they have not got any information of death, the vakalatnama was filed on behalf of the said respondent. However the prayer made in the said petition is not opposed.

Compd.


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Heard both sides. Considered,

It appears that the appeal was fixed for exparte hearing against the respondent nos. 2 and 3 due to their non-appearance. It further appears that since the respondent nos. 2 and 3 are the only legal heirs and representatives of the deceased and their names are already on record, the name of the respondent no.1 is to be expunged.

The petition dated 06.02.14 is thus allowed. The name of the respondent no.1 is expunged, Office is directed the make necessary correction in the cause title of the memo of appeal.

The appellant also filed a petition for extension but the Ld Advocate for the appellant submits that the petition for injunction may be disposed of since none is opposing the prayer made therein.

NO OPP

Heard. Considered I too find no reason for disallowing the prayer, submission of the Ld. Advocate for the appellant.

Accordingly the petition u/o 39 R 1 & 2 read with section 151 C.P.C. is allowed exparte. The interim order dated passed on 05.06.2012 is extended till disposal of the present appeal

Fix 31.05.2014 for exparte hearing of the appeal & Make reminder for L.C.'s immediately.

Dictated
ADJ, 3rd Court
Barpeta


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Received the LCR from Civil Judge
Sr Divi 2nd Court - Barasat in T.S. No.
205/10. C/w TA 36/12.
Fix dt for hearing order.

Additional District Judge
1st Court, Barasat
North 24 Parganas

A.O. is barred in District Judge
file ~~on~~ taken by. L.C.R called for
mdr on 21/5/14. Case is adjourned by.

~~31-03-14~~

TA. 36/12 ------>

21
31-5-14 Appellant files a time ptn.
Hd. Considered and the time is allowed
to. 17.7.14 for Exp- hrng.
One Lasvica of Respdt. be kept
with record.

AOJ 3rd

22
17-7-14 Appellant files Lasvica.
Respdt no 2 appeared by filing vakalatnama.
Respdt nos 1 came and Exp- ruchy ptn.
Another ptn filed by appx. be kept with rcd.
Hd. both Advts. Considered
Let the Stay be accepted and Exparte
be vacated.
Fix 01-8-14 for Hrng Appeal.

AOJ 3rd

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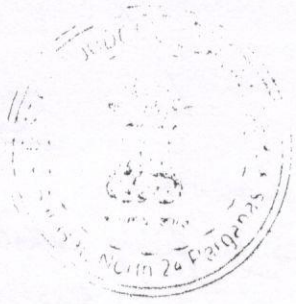

3rd Addl

6/6
~~1790~~
95-

TA. 36/12

23
1-8-14 Appellant & opnr files Vakalats.
The case is taken for hrng.
Hd. both sides in part.
no time today.
So, the case is adjd.
to. 01-9-14 for hrng

ADJ-3rd

24
1.9.14 Appellant has received Respondent No. 3 has shown cause Rvn.
Copy served.
Let it be kept with the record.
To 17.9.14 for further hearing.

ADJ 3rd

25
17/09/14 Appellant files a petition praying for time on the ground stated therein.
The prayer is considered and allowed.
The case is adjourned today.
Fix - 31/10/14 for further hearing.

ADJ. 3rd.
Baraut.

26
31.10.14 Respondent No. 3 has filed written objection.
Copy served.
Appt has a Rvn pending for which
Cer ne nagar Rated 1/11.

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Contd

Prayer is allowed
TO 15.11.14 for hearing
as last chance.

27
15.11.14

Both Parties are present.
Record is taken up for hrg.
Rsd. Cons Order in part.
TO 6.12.14 for hearing.

27
6/12/14. Both Parties are present.
Record is taken up for hearing
of the petition filed by the
Respondent-No 3 praying for
Valatry ex-parte
of the Respondent-No 3. files a
petition praying for time to
file affidavit-in-reply on the
grounds stated therein. Heard.
Contended. Prayer for time is
allowed. Post 31/01/2015 for hearing of Petn
Affidavit-in-reply as the matter.

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TA 36/12

29
30.1.15 Both Parties are present.
Today is fixed for hrgs.
As per resolution of Dist Govt Advocates
no adverse orders shall be passed.
TO 23.3.15 for hrgs at Kiv

Addl

30
23.3.15 Both Parties are present.
counter Objections filed by the applicant
supported by an affidavit.
Rejd. Both sides.
TO 9.4.15 for orders.

Addl

31
9.4.15 Both Parties are present.
Today is fixed for orders.
Orders could not be passed as P.O.
is busy with an urgent matter.
TO 17.4.15 for orders.

Addl

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T.A. 36 of 2012

32/17.4.2015

The record is taken up for pssing order in connection with the show cause application coupled with another application praying for vacating the order of ex parte hearing fixed agaisnt the respondent no. 3.

The aforesaid applications are filed on behalf of the respondent no. 3 by his lawful attorney Sharmila Das as stated in such applications. The photocopy of the power of attorney dated 08/02/2002 has been filed on record on behalf of the respondent no. 3.

It is the contention of the respondent no.3 that he did not receive any summons from the court of Ld. Civil Judge (Sr. Division) 2nd court in T.S. No. 205 of 2010 nor the summons of the present appeal and accordingly he had no opportunity to contest the suit and also take part in the hearing of the present appeal. It is further contended that he intends to contest the appeal and as such an opportunity of being heard should be extended to him following the principles of audi alterem partem.

It is stated that there was no negligence or latches on the part of the respondent no.3 and if he knew of the institution of the appeal he would have come earlier to contest the same.

The appellant filed written objection to the prayer made on behalf of respondent no.3 to contest the appeal through Sharmila Das, the lawful attorney of respondent no.3 as claimed by respondent no.3.

It is contended on behalf of the appellant that the alleged power of attorney which forms the basis of the application filed by the respondent no.3 to contest the instant appeal is a suspect as the veracilty of such power of attorney is questionable. It is contended that respondent no.3 executed a power of attorney on 11.04.2002 empowering his mother, i.e. respondent no. 1, since deceased, to represent him as constituted attorney. The copy of the power of attorney dated 11.04.2002 is filed along with the written objection of the appellant.

The respondent no. 3 filed an affidavit in reply wherein he specifically stated that the power of attorney dated 08/02/2002 is genuine and that the power of attorney dated 11.04.2002 was cancelled by the respondent no.3.

I have heard the submissions of the learned counsels appearing on behalf of the respective parties and also taken into consideration the rival contentions made in the petition as well as the objection submitted thereto.

It is not disputed that respondent no.3 herein Amit Kumar Das intends to contest the appeal and filed a show cause praying for vacating the order of exparte hearing against him. Before going into the question as to whether the order of exparte hearing shall be vacated and the appellant

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raised a serious question with regard to veracity and genuinity of the power of attorney dated 8.2.2002 executed by respondent no. 3 on the basis of which respondent no. 3 intends to contest the appeal through his attorney i.e. his wife Sharmila Das.

I find that the existence of the two power of attorney executed by respondent no. 3 on 8.2.2002 and 11.4.2002 is not disputed bewteen the parties. It appears from the averments made in the affidavit in reply of the respondent no. 3 that he has cancelled the power of attorney dated 11.4.2002 executed in favour of his mother. Now, a principal can cancel or revoke a power of attorney if he so desires if the power of attorney does not create any interest in favour of the agent i.e. the attorney by virtue of such power of attorney thereby making such power of attorney irrevocable in nature. I do not find the power of attorney dated 8.2.2002 and 11.4.2002 are irrevocable in nature, rather both are general power of attorney empowering the agents to do certain acts as intended by the principal in the said power of attorneys. It appears that the power of attorney dated 11.4.2002 was executed in favour of the mother of Respondent no. 3 subsequently i.e. after the date of execution of the power of attorney in favour of the wife on 8.2.2002. It is evident that the power of attorney granted in favour of the mother of the deceased bears the signature of the wife of the respondent no. 3 and it naturally follows therefrom that the power of attorney originally executed in favour of the wife was revoked by necessary implication of law as a fresh power of attorney was executed in favour of the mother of the respondent no. 3. Therefore the power of attorney dated 8.2.2002 on the basis of which the wife of the respondent intends to contest the appeal on behalf of the respondent no. 3 has got no legal force.and accordingly the wife of the respondent no. 3 cannot be permitted to contest the appeal for the respondent no. 3 in this case.

As a result the applications filed by the wife of respondent No. 3, Smt. Sharmila Das as attorney of respondent No. 3 stands rejected.

In view of such position I find that it is not necessarry to go for further discussion as to whether the order of exparte hearing shall be vacated or not unless proper application comes from the side of respondent no. 3.

Fix 18.5.2015 for hearing and order.

Addl. District Judge
3rd Court, Barasat.

Additional District Judge
3rd Court, Barasat
North 24 Parganas.

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3rd Addl

695
× 10/8/14

T.A. No. 36 of 2012

33/18.5.15

Appellant files hazira.

Respondent No. 3, Amit Kr. Das has filed a petition along with show-cause praying for vacating the order of exparte hearing against him.

Copy supplied to the appellant.

Fix 16.7.2015 for hearing of the petition filed today by Respondent No. 3.

Objection in the meantime.

Addl. District Judge,
3rd Court, Barasat.
Additional District Judge
3rd Court, Barasat
North 24 Parganas.

34
16.7.15

Both parties file hazira.
Respondent No. 3 files written objection.
Copy served. Ld Adv for appl.
Respondent has a petition praying for time to file w.o. on the ground stated therein.
Considered. Prayer is allowed.
To 3.8.15 for hrg of petition.
Objection in the meantime.

Addl.

35
03/08/15

Both parties file hazira. Appellant files written objection against the application submitted on behalf of the respondent no. 3 for recalling the order for exparte hearing of appeal. Copy served and objected to. Appellant files another petition praying for time on the ground stated therein. Prayer is considered and allowed as a last chance. No further adjournment will be granted.
Fix - 21/08/15 for hearing of pet.

ADJ, 3rd.

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36
21.8.15 Appl filed razia. a Rule u/s 340 read with 195 CrPC
Respondent- filed razia.
copy served.
TC 21.11.15 for hrg all the Advt/ A.D.O. in the meantime.

Additional District Judge
1st Court, Barasat
North 24 Parganas.

36
21.11.15 Both parties filed razia.
P.O. is in charge of the Addl. Judge.
Today is fixed for hrg.
Case is ready.
TC 18.1.16 for hrg all the parties/A.D.O. in the meantime.

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Title Appeal No. 36 of 2012

Order No.37
dated 29.01.2016

The record is taken up for passing Order upon the application filed by respondent No.3/Amit Kumar Das, praying for vacating the ex parte order of hearing of the Appeal along with a separate application filed by the Appellant under Section 340 read with Section 195 of Cr.P.C.

Perused the contents of the application under Section 340 filed by the Appellant and the Written Objection submitted thereto.

Heard the Ld Counsel appearing on behalf of the respective sides.

It is the contention of the Ld Advocate appearing for the Appellant that Opposite Party No.1 & 2 have made false statements on oath and also filed manufactured document being the Power of Attorney dated 08.02.2002 and accordingly, they are liable to be prosecuted under Sections 177, 182, 187, 191, 192, 196, 199 and 209 of Indian Penal Code. The Ld Counsel submitted that in view of such position, prosecution should be launched in terms of Section 340 of the Criminal Procedure Code. The Ld Counsel pointed out grounds specifically mentioned in Para-11 of the application filed by the Appellant, which according to him, are sufficient for initiation of such proceeding against the OP No.1 & 2.

The OP/respondent/Amit Das contested the application by filing Written Objection denying all the material allegations made against him stating, inter alia, that no false statement has been made by the respondent on oath before this Court which would attract Criminal Prosecution against him in terms of Section 340 read with Section 195 of the Cr.P.C.

I have carefully gone through the specific allegations made against the respondent as mentioned in Para-11 of the application u/s. 340 Cr.P.C and also considered the provisions u/s. 340 Cr.P.C. I find there is no materials before this Court to take even a prima facie view that respondent No.3 has made any such false statement before this Court or filed any false or fabricated document which would attract Section 340 Cr. P.C. Accordingly, I am of the considered opinion that the application u/s 340 Cr.P.C has got no merit and hence rejected.

On perusal of the application filed by the respondent No.3, praying for vacating the Order of ex parte along with the cause shown, I find that he intends to contest the Appeal. The Appellant has also made him a party in this Appeal. The cause shown appears to be convincing. I am of the view that justice requires that the instant Appeal should be heard on merit, especially when, specific relief has been claimed against respondent No.3 and he himself has come before this Court to contest after rejection of the application filed by his Attorney to contest in this Appeal ~~to contest~~ by Order dated 17.04.15.

In the light of the aforesaid discussion, the show cause filed by the respondent No.3 is accepted and the prayer for vacating the order for ex parte hearing stands allowed.

Accordingly, the Order for ex parte hearing stands recalled, fixing 10.03.2016 for haring of the Appeal.

Addl. District Judge,
3rd Court, Barasat.

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TA-36/12.

(38)
4.6.16 Respondent no. 3 has appeared.
Appellant has a part heard matter
on the matter stated therein.
Considered. Prayer is allowed.
To 4.6.16 for hearing of appeal.

Mr

39
4.6.16 Ld. Adv for the parties declined their
offerings due to resolution taken by
Local Bar.
To 7.9.16 for hearing of Appeal.

Mr.

40
7.9.16 Respondent no 3 has appeared.
Appellant has a part heard matter on
the matter stated therein.
Considered. Prayer is allowed.
To 17.12.16 for hearing of appeal.

Mr.

41
17.12.16 Respondent no. 3 has appeared.
Appellant has a part heard matter
on the matter stated therein.
Considered. Prayer is allowed.
To 7.2.17 for hearing of appeal.

Mr

42
7/2/17 Appellant has a prayer for adjournment
Prayer at bar. Prayer ⇒ [illegible]
[illegible] the prayer is allowed ⇒
Fix 16.2.17 for hearing of appeal.

Judge

Checked by


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TA 36/12

09
07.2.17
(7.2.17)

Respdt files hazira
Applicant files a petn. for adjournt
None praises his petn. for adjd.
Ld. Advocate for the respdt is present
Per ends of justice hearing is adjd
Fix 16.2.17 for hearing of appeal

Judge

43
16.02.17

Respondent files hazira. NO step taken by the Appellant.

Ld Advocate for the respondent is present.

None appears on behalf of the appellant on repeated calls.

The appellant is directed to file Show Cause by the next date positively as to why the appeal shall not be dismissed.

To 16.03.17 for Show Cause and further Order.

Dict & Corrected by me,

3rd Addl. District Judge.

3rd Addl. District Judge.

44
16.3.17

Respdt files hazira. Appellant files a vakalatnama for showing cause as directed. Cause shown is complete xg A/R for both sides incl. Spread.

Case is taken up for hearing of appeal

Ld. Ld A/R for both sides is part heard

Fix 01.4.17 for further hearing of appeal.

Judge.

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4 MAY 2018
BARASAT, NORTH 24 PARGANAS

TA 36/12

45
19.4.17 Both parties fail Respective Regular
Case is taken up for further hg
A.g. both sides in point
Fix 18.4.17 for further hg of appeal

Judge

46
18/4/17 Today is fixed for further hearing of the appeal.
Appellant files hazira through their
Ad. Advocate.
Respondent No. 3 also files hazira through
their Ad. Advocate.
P.O. is engaged for written Judgement of another
Cases. So, the case is adj today.

Fix, 20/5/17 For hearing of the appeal/Arguments.

Judge

47
20/5/17 Appealant files hazira through Ad. Advocate
Respondent No-3 also files hazira through Ad. Adv.
P.O. is engaged for written ~~Judgement~~ Judgement of another Cases.
So, the case is adj. today.

To, 17/6/17 For hearing of the appeal.

Judgement

48
14/6/17 Both parties fail Respective Opp is busy
P.P. in charge is busy writing his own bail
Case is adj.

Fix 15/7/17 for hg of Appeal

Judge


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T. A. 36/12 (119/14)

Order no 49
15.7.17 Both parties file hazira.
Ld. Ld. Adv. for the appellant in part.
On submission on behalf of appellant case is adjourned.
Fix 5.8.17 for further hearing.

Sd/-

5t
5/8/17 Both parties file hazira
Dr is on leave.
Fix 28/8/17 for further hearing

Sd/- 5/8

5-1
28/8/17 Hearing file hazira. Appellant files a plan for adjustment.
Appellant has misjoin. one Rs 1 R 10 Ltr and sells Rs 6 R 17 Ltr and wish one Rs 151 Ltr for amendment of injection plan
Copies serve
Fix 8/11/17 for further hearing subject to hazira

a/c by me
Sd/-

Sd/-

T-A 36/12 [19/9

02
6/11/17 Respdt 2, 3 present
Petitioner filed an application for adjournment
Hg. next week,

Fix 27/11/17 for hearing

Judge

sd/c
Advocate

03
27/11/17 Appellant present
Respdt 3 filed application for adjournment
copy served. No objection is raised

Fix 18/1/18 for hearing

Judge

sd/c
Advocate

04
18/1/18. Appellant present application for adjournment
Copy served Respdt-3 present counsel is present
Objection copy served
(13/3/18.
Fix 13/3/18 for hearing

Judge

sd/c
Advocate

05
13/3/18 Advocate is on leave. In view of resignation
of Local Bar

Fix 4/6/18 for hearing

Judge

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District Judges Court
North 24 Parganas, Barasat

04/05/18

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