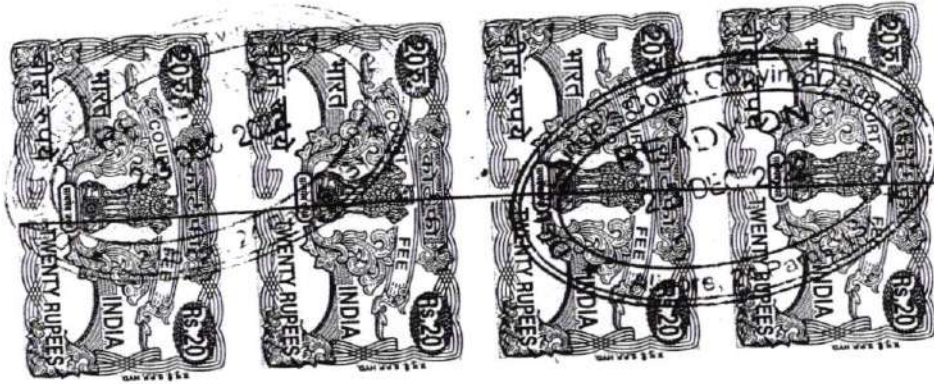




269

13.12.22 15.12.22 15.12.22 23.12.22 23.12.22

FRX- 3594/22

in the court of 1st civil judge ^{Indi} at Alipore

T.S- 32/1989

Sanatan Haldar

vs.

Mohon chandra Haldar & ors



Schedule of cost of the copy	
Application.....	5.02
Folio and A.C Stamp.....	48.00
Authentication Fees.....	35.00
Expanding Fees.....	94.00
Searching Fees.....	
Tracing Fees.....	Duty 100.00
Other Fees if any.....	

282.02



Gr. B. SL-141 12
ERX-3594 dt 13-12-22
Ofs - 7 S.B.
Preside-2 "
F. Dec-5 "
MAP-1 "
15 S.B.

FORM OF ORDER SHEET

DISTRICT

24- Parganas

COURT OF

M. 1st Sub-Judge; Alipore

Present :-

Shri S. R. Ghosh Sub-Judge-Memor

SUIT / Case No.

32

OF 1969

Versus

Mohon Chandra Haldar & Another

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties who necessary.
1	24.8.69	Register. issue summons to defendants fixing 25.8.69 for disposal / appearance / answer. If the suit would be untested.		25.8.69 26/3
2	25.8.69	Service report not received. To 14-5-69 directing the same and for appearance.	LE Sub-Judge-Memor	
3	24-5-69	Service report received, Summons served but not to satisfaction. Plff to put in written card for issuing per regd post by 26-5-69	S. J.	
4	26-5-69	Written card filed. Plff to issue the same per regd post with A/D upon the defendants fixing 23-6-69 for appearance.	S. J.	
5	23-6-69	Regd card with A/D returned with remark 'not claimed'. Plff to take steps by 5-7-69 for service on defendants.	S. J.	

T.S. 32/69

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on case with late dated sign of p. orders parties when necessary.
1	2	3	4	5
		Present:- Sri S. N. Jase, S. J. in charge.		
6	5-7-69	Left by a petition supported by an affidavit prays for substituted service upon the dfts on grounds of service of service. Considered. The prayer is allowed. 10-7-69 for written summons up to 20 C.E.	le S. J.	
7	10-7-69	Requisites filed. Issue summons up to 5 x 20 C.E. upon the dfts fixed 6-8-69 for return and appearance.	R S. J.	
8	6-8-69	Summons up to 5 x 20 C.E. served. The appearance. To 28-8-69 for appearance.	R	
		Present:- Sri S. K. Kulkarni, S. J.		
9	28-8-69	Dft no. 2 appearing by V. name files W.S. showing cause for delay. Heard. Considered. W.S. will be accepted on payment of a cost of Rs 10/- as C.E. To 19-9-69 for acceptance. App. stood in the meantime.	Sm	
10	19-9-69	Neither app. served nor cost paid. Dft no. 2 has also not taken any steps. To 27-9-69 to show cause why the W.S. be accepted. Subsequent to the 27-9-69 receipt for cost and app. To 19-9-69	Sm S. J.	

T. S. 32/69

1	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
11	27-9-69	As copy of W.S. served and cost paid let the W.S. be accepted & issues framed within 7 days. To 21-11-69 for framing of issues.	 S.J.	
12	21-11-69	Learned advocates not kept available till 13-12-69 for issues.	 S.J.	
13	13-12-69	Learned advocates still not available. To 10-1-70 for issue.	 S.J.	
14	10-1-70	Revised the pleadings. Issues framed. To 2-2-70 for hearing issue no. 2.	 S.J.	
15	2-2-70	Present:- Sri S. Misra, S.J. in charge The Court being otherwise engaged fix 2-3-70 for hearing issue no. 2.	 S.J.	
16	2-3-70	Present:- Sri S. K. Mukherjee, S.J. After no. 2 by a petition prays for learned advocate for per. oppos in petition. Heard. Considered. The prayer is allowed. To 18-3-70 for hearing issue no. 2.	 S.J.	

T.S. 32/69

Serial number	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken with order dated of pl parties necessary.
1	2	3	4	5
17	18-3-70	Heard the learned advocates regarding issue no. 2. Order reserved. To 21-3-70 for order.	S.M.	
18	21-3-70	Order regarding To 8-4-70 for order.	S.J. S.M.	
19	8/4/70	This is to consider issue no 2 regarding valuation and costs. It appears there was valuation statement furnished over the plead. In absence of any such valuation statement it is not possible to know the basis of plaintiff's valuation. The suit proceeds. Plaintiff is accordingly directed to furnish a valuation statement & get the plead suitably amended by 22/4/70. Issue no 2 will be heard after the valuation statement is put in.	S.M.	
20	22.4.70	Plt prays for time to take steps. The prayer is allowed To 30.4.70 for steps & for orders in terms of order no. 19	S.M.	

T.S. 32/69

Serial Date	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
1	2	3	4	5
21	30.4.70	Pltff prays for reconsideration of order no. 19 of 8.4.70 and to accept the given valuation in the circumstances as stated therein. Copy served and objection to. To 16.5.70 for hearing the Ptn.	Srn S.2	
22	16.5.70	Pltff files again. Dept no. 2. prays for adjournment of hearing on the ground of illness. The prayer is allowed. To 9.6.70 for hearing ACJP's Ptn of 30.4.70.	Srn S.2	
23	9.6.70	Both parties file again. Pltff's Ptn of 30.4.70 for reconsideration of order of 8.4.70 is put up. Heard the Hl. Advocates of both sides. The Ptn is considered & rejected. ACJP to file valuation statement in terms of order no. 19 of 8.4.70 by 23.6.70. Issue no. 2 will be heard again after the valuation statement is put in. see lkd. Srn S.2	Srn S.2	
24	23.6.70	Pltff files valuation statement. To 17.7.70 for hearing the issue no. 2	Srn S.2	

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated of parties when necessary.
1	2	3	4	5
25	17.7.70	Defgt no. 2 prays for time on the ground of illness. Copy not served nor anyone moves the Adu. The Adu is signed (not). Ex parte no. 2 is taken up for hearing. Heard the Ad. for the Adop. None comes on the side of the Adgt 2. It appears that the valuation on given is fair. It is accepted. The issue is accordingly allowed on Adgt's favor. To 14.8.70 for inspection & discovery.		
26	14.8.70	Adop prays for a direction upon the Adgt's to discover documents on Adgt's. Copy served & objected to. The prayer is allowed. Adop's are directed to discover documents by 31.8.70.		
27	31.8.70	No discovery made by the Adop's. To 21.9.70 for discovery by the Adop's with showing causes for the delay.		
28	21.9.70	Adop files reasons. Causes shown by the Adop's. The laches are condoned. To 2.11.70 for discovery by the Adop's.		

T.S. 32/69

Ex- 11 12 3r.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
1	2	3	4	5
29	2.11.70	deput no. 2 makes certain discovery of documents. But no affidavit filed in support of the prayer. Plof by Alta prays for striking such defence for irregular compliance of the court's order. Put up for hearing order on 12/11/70	Sm	
30	12.11.70	Alta files again. deput no. 2 prays for adjournment of hearing on the ground of illness. coming round. No objection raised. The prayer is allowed. Advt to 15.11.70 for hearing the Pth of 2.11.70.	Sm	
31	25.11.70	Alta & the deput file again. No time to day. Advt to 2.12.70 for hearing the Pth of 2.11.70.	Sm	
32	2.12.70	Alta & deput no. 2 file lawyers & again. Alta's Pth of 2.11.70 is put up. Heard the Ad. lawyer for the Alta. No one appears on behalf of deput no. 2. deput 2 is directed to file an affidavit in support of this petition on 12/11/70. By 12/12/70, failure to file his defence will be struck off.	Sm	

FORM OF ORDER SHEET

DISTRICT

COURT OF

Present :—

SUIT / CASE No.

OF

versus

Serial number.	Date of Order or Proceeding.	T.S. 32/69 Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
1	2	3	4	5
33	12.12.70	App files again. Dept no. 2 prays for time to file affidavit. The prayer is allowed. Adm to 19.12.70 for filing affidavit by Dept no. 2.	Sm S. G.	
34	19.12.70	App files again. Dept no. 2 again prays for time to file the required affidavit. The prayer is allowed. To 2.1.71 for the same & for orders.	Sm S. G.	
35	2.1.71	App files again. Dept no. 2 again prays for time to file the required affidavit. The prayer is allowed. To 15.1.71 for the same & for orders.	S. G.	
36	15.1.71	App. avail- has been filed. To 30.1.71 for settling the date of P. hearing.	S. G.	
37	30.1.71	As there is no chance of hearing of this Suit within next two months, it is adjourned to 3.3.71 for settling date of peremptory hearing.	S. G.	

T.S. 32/69

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
1	2	3	4	5
38	13.3.71	As there is no chance of hearing of this case within next two months, it is adjourned to 15/5/71 for settling date of peremptory hearing.	M S.G.	
39	15.5.71	App prays for fixing a date of P. hearing on the grounds as stated therein. Considered the plea and the prayer is <u> </u> fix 9.6.71 for P. hearing.	M S.G.	
40	9.6.71	Def't files Nigra. Petition by 8.6.71 filed by the defendant no 2 for adjournment of P. hearing for reasons stated herein, is put up. Petition is seen & objected to. Heard. Prayer is <u> </u> subject to payment of costs of Rs 8/- ct. To 9.7.71 for P. hearing.	S.G.	
41	9.7.71	App files Lagna. sup't no. 2 prays for adjournment of hearing on the ground of illness. Copy served & objected to. Heard. The prayer is considered and <u> </u> on payment of costs of Rs 8/- April to 26.7.71 for P. hearing.	M S.G.	

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
1	2	3	4	5
42	26.7.71	Mop files hang in. Sept take no steps & are absent on repeated calls. No one appear on behalf of the steps. It is now 11-40 AM. Mop files same documents as per list. The trial is taken up for separate hearing. P. W. (1) Sanatan Halder is named. Documents marked Ex A I to I(a), 2, 3 to 3(6), 4, 5, 6, & 7. Heard. This is a suit for partition. The plaintiff filed M.S. 4/67 against Kanai Lal Mondal and got a decree and ultimately the decree was put into execution and put the purchased property to auction sale and the plaintiff purchased the same. The auction sale was confirmed on 9.3.68 and the plaintiff got possession of the suit property through court on 10.6.68. Since that date the defendants are in joint possession with M.S. and plaintiff's amicable possession was found inconvenient for which there was demand for partition and that being refused, the present suit for partition was filed. It appears from sale certificate that 5 khata 8 chattaks of land roughly were purchased by the plaintiff.		

Amended

T.S. 3469

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of officers or parties when necessary.
1	2	3	4	5
		There is nothing to disbelieve the evidence of P.W.1 . Hence, it is, <u>ORDERED</u> that the suit is decreed exparte in preliminary form . It is hereby declared that plaintiff do get a preliminary decree of 5 khattas 8 chattaks of land in R.S. plot no.196 of mouja Balia . The parties are directed to effect amicable partition within two months from this date ; failing which a pleader commissioner shall be appointed to effect partition by metes and bounds. The parties are directed to bear their respective cost up to this stage. Dictated & corrected by me <i>[Signature]</i> S. J.	<i>[Signature]</i> Subordinate Judge, 1st Court, Alipore.	<i>[Signature]</i> 89

43. 11.8.71

I am satisfied and signed this day.

FORM OF ORDER SHEET

DISTRICT

COURT OF

Present:—

SUIT/CASE NO.

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Other action taken on order with date and date signature of officers or parties when necessary.
44.	5.8.71	Plaintiff & the defendants present or compromise in suit of Solenama. From which a decree has been passed. To 10.9.71 to bring compromise.	[Signature]	[Initials]
45.	10.9.71	Compromise (1) - heard. Plaintiff of 5.8.71 - put up. Status applied by Vakalatnama. In view of Preliminary decree passed on 26.7.71 the partition of property has been effected within limits in terms of the Solenama entered by all the parties. Non judicial copy of Rs 12.50 filed to drawing up final decree. But the suit has been brought - as record. The decree is legal and valid. In fact the suit has been decided finally in terms of Solenama which is final part of the decree.	[Signature]	[Initials]

Filed by

[Signature]

HIGH COURT FORM No. (J) 25.

DECREE IN ORIGINAL SUIT.

16

Order 20, Rules 6 and 7, Code of Civil Procedure.)

DISTRICT *M. B. P. S.*

Institution 24.3.69

In the

1st Court of *Sub Judge* at *Alipore*.

Title SUIT No. *32* OF 19 *69*

Sanatan Halder 810 Kali-Pranjan Ram Halder
of Garia Merin Rd. P.S. Sonarpur. At M. B. P. S.

Plaintiff(s).

versus
1) Mahan Chandra Mandal 810 Kali-Dargul Kithna
Mandal 2) Sital Chandra Mandal 810 Kali-Surandra
Nath Mandal residing at village Balia, P.S. Sonarpur
at M. B. P. S.

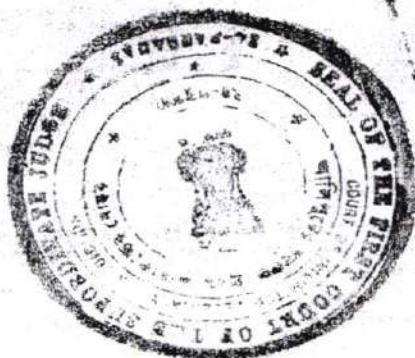
Defendant(s).

CLAIM for *partition valued at Rs 6000/-*

17

Schedule 'A' . 3

All that piece and parcel of 81 decimal of land
and its bank comprising C.S. Dag no 178 in the C.S.
Khalia no. 14 since recorded in R.S. Dag no 196.
R.S. Khalia 79 bearing annual rental of Rs 81-
having raigali in letter J.L. no. 46, Touzi 274 Pargana
Madanmalla Mahza Barlia, 125. Sonu pu. 844-845



and that the sum of Rs.

be paid by the

to the

on account of the costs of this suit, with interest thereon at the rate of
per cent. per annum from this date to date of realisation.

Given under my hand and the seal of this Court, this * 26th -

* Enter here
the date of the
judgement.

day of

July

1971

The address given above is
the address for the purpose of
posting it.

[Signature]

Judge.

11-8-71

N.B.—The Judge shall make an autograph note stating the date, month and year on which the decree is signed and initial
the corrections or alterations, if any.

Costs of suit.

Plaintiff.	Rs.	A.	P.	Defendant.	Rs.	A.	P.
1. Stamp for plaint --				1. Stamp for power --			
2. Stamp for power --				2. Stamp for petitions and affidavits --			
3. Stamp for petitions and affidavits --				3. Cost of exhibits (including copies made under the Bankers' Books' Evidence Act, 1891.) --			
4. Cost of exhibits including copies made under the Bankers' Books' Evidence Act, 1891. --				4. Pleadings' fee --			
5. Pleadings' fee on Rs. --				5. Subsistence and travelling allowances of witnesses (including those of party, if allowed by Judge) --			
6. Subsistence and travelling allowances of witnesses (including those of party, if allowed by Judge) --				6. Process fees --			
7. Process fees --				7. Commissioners' fees --			
8. Commissioners' fees --				8. Demi-paper --			
9. Demi-paper --				9. Cost of transmission of records --			
10. Cost of transmission of records --				10. Other costs allowed under the Code and Civil Rules and Orders --			
11. Other costs allowed under the Code and Civil Rules and Orders --				11. Adjournment costs not paid in cash (to be added or deducted as the case may be) --			
12. Adjournment costs not paid in cash (to be added or deducted as the case may be) --							
Total --				Total --			

NOTE 1.—The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve as they will be destroyed at the time prescribed by the High Court (Rule 557 *et seq* Civil Rules and Orders, Vol. I).

NOTE 2.—The above note or the Schedule of costs shall be penned through if there are no exhibits for return or no costs in favour of any party. (See Note 1 to Rule 486, Civil Rules and Orders, Vol. I).



18

In the 1st Court of the Subordinate Judge at Aligarh.

Dispute in-Partnership.

Final Decree (Particular)

Instituted on 24.3.69

T.S. 32/69

Sanalain Haldar & Lal-Bhagwan Ram Haldar of
Garia Mani Road, P.S. Sonarpur Dist. M-Bugra.
Plaintiff

vs.

Mohan Chandra Mandal & Lal-Dayal Krishna
Mandal & Gita Lal Chandra Mandal & Lal-Sundara
Mandal both residing at Village Balia P.S.
Sonarpur Dist. M-Bugra.

Claim for drawing up of Final Decree in terms
of Section 5.8.71

This Suit coming on for final disposal
before Mr. B.K. Sinha Sub-Judge, in the Presence of Mr.
Anil Kumar Sen, Advocate for the Plaintiff, Mr. Hari Chandra
Chatterjee Advocate for the Defendant no 1 and of Mr. Mohammad
Ahmed Ali Pleader for the Defendant no 2

[Signature]
Sub-Judge 1st Court, Aligarh
9-11-71

480 8/6/92 2-
 Sanatan Halder
 Garia main Rd. Garia Pur, in Parsu
 phelu Bala Chandra

480 20 = 2-
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 82-00



2

58 3R550nP



It is ordered ^{and decreed} that the sum be decreed finally in terms of the award which do form part of the decree.
Schedule of Property 'A'

All that piece and parcel of 81 decimal of Tasse and its Branch comprising C.S. Dag No 178 under C.S. Khaliwari no. 14 since recorded in R.S. Dag No 196, R.S. Khaliwari 79 bearing annual rental of Rs. 8/- having raigori in the year 96, Tasse 274 Pargana Madanmalka Mouza Balia, P.S. Sonam pur. Dist. - Muzaffarpur.

Given under my hand and the Seal of this Court this 10th day of Sept 1971.

[Signature]
 Sub Judge 1st Class,
 Aligarh. 9-11-71

[Handwritten marks]

182 8/1/95 20 20
Savabau Holder
Garcia main Rd. Saurpur, 24 Pargana
Pheba Ram Chandra





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সন ১৯৬৯ সালের ৩২ নং দফা মোঃ পার্টিসান

बाप्री -

বিবাদীগণ -

ਸਨਾਤਨ ਸਾਹਿਬ -

ତେହନ ଚନ୍ଦ୍ର ମଞ୍ଜୁ ଦିଂ

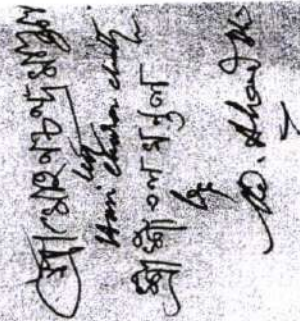
উক্ত নম্বর মোকদ্দমায় বাদী ও বিবাদীগণ আমাদের
নিবেদন এই যে উক্ত নম্বর মোকদ্দমায় আমরা আপোবে প্রাথমিক ডিগ্রির
সর্তান্বাবে বিভাগ বন্ধন করিয়া লইয়াছি।

ସଂସ୍ଥା ୫-

Made part of
Dec. 1971
Sub-Index 100
Align
cont. 9-11-71

১। বাদী দালিলী সম্পত্তির মধ্যে তাহার ঋণিদা অবিভক্ত এক তৃতীয়াংশে নিজাংশে ষোল আনা দালিলিক সুরূপে কমবেশী ~~১১১০~~ ১০১০ কাঠা পাঁচকাঠা আট হটাক পুকুর ও পুকুরের পাড় পাইলেন । বাদীর উক্ত অংশ যে সর সংলগ্ন নকসায় লট - এ - ব্রজেন লাল সীমা রেখা দ্বারা চিহ্নিত হইল এবং উক্ত নকসা যে দরখাস্তের একাংশ গণ্য হইবে ।

২। এখনে প্রকাশ থাকে যে বাদীর উক্ত দাবী 'এ' অংশের অধিকাংশ
জমি পূর্বের পণ্ডিত মহোদয়ের বাদী তাহা নিষেধ অর্থে ও দ্বার্ষিক যখন স্বীকৃত



2/

ভরাট করিয়া দিতে পারিবেন তাহাতে বিবাদীগণের কষ্টান
কালে কোনও প্রকার আপত্তি চলিবে না বাদী তাহা যদুচ্ছা ব্যবহার
ও হস্তান্তর করিতে পারিবে । তবে যতদিন পর্যন্ত বাদী উক্ত পুঙ্খনিরী
ক্ষণে ভরাট করিয়া না দায়েন ততদিন বাদী পুরুষের সংসদ এক -
তৃতীয়াংশ পাইবেন এবং সংসদ চারিঘণ্টা বা তদন্য বৈধনের জন্য এক
তৃতীয়াংশ খরচা বহন করিতে পারিবেন ।

৩। বঙ্গী নাগিলী সম্পত্তি বিবাদী গণের রুহিল । পুষ্করিণীতে
১ নম্বর বিবাদী মোহন চন্দ্র মণ্ডলের অবিভক্ত বাড়ি আনা অংশ এবং -
শীতল চন্দ্র মণ্ডলের অবিভক্ত এগার পয়সা অংশ রুহিল - কারুন বাদী উক্ত -
শীতল চন্দ্র মণ্ডলের অংশ হইতেই অবিভক্ত পাঁচ আনা এক পয়সা অংশ
খরিদ করায় তাহা বাদী অদ্য আলাহিদা করিয়া গইলেন । বঞ্চিত
জমি ১ নম্বর ২ নম্বর বিবাদী আপোষে বিভাগ বন্টন করিয়া গইলেন ।

৪। বাদী ও বিবাদীগণ একযোগে সু সু মঙ্গলের সম্পত্তি -
বুকিয়া পাইলেন ও স্বাভাবিক দখল পাইলেন ।

৫। পক্ষগণ ভবিষ্যতে আত্মাধিষ্ঠা ভাবে নিজ নিজ বাস সুরক্ষার -
বাহাদুরে অশেষ মত জমিতে রেকর্ড করাইয়া লইতে পারিবেন ।

৬। পক্ষগণ নিম্ন নিম্ন স্বরূপে বহন করিবেন।

৭। অএ সোলেমামা চুহানু ডিক্রির একাংশ গণ্য হইবে।

৮। বর্তমান মোকদ্দমার বিষয়ীভূত সম্পত্তির মোট মূল্য ৭০০০ টাকা
হইতেছে। বাদীর অংশের দাম ৭৭৮ টাকা হইতেছে এবং বিবাদীর অংশের মোট
দাম ৬২২২ টাকা হইতেছে। সেকারুম বাদীর অংশে ৭৭৮ টাকার উপর ১২.৫০
বৎসর বন্যভিসিয়ার স্ট্যাম্প পদও হইল।



স্বাক্ষরিত
Anwar Kader
Jah 7/8/71

স্বাক্ষরিত
H. Chandra Chatterjee
জি. চন্দ্রা চট্টোপাধ্যায়
Ms. Shadik

৯। যে মোকদ্দমানামার প্রত্যেকটি পর্চ অপর একটি সতের -
পরিপূরক গণ্য হইবে।

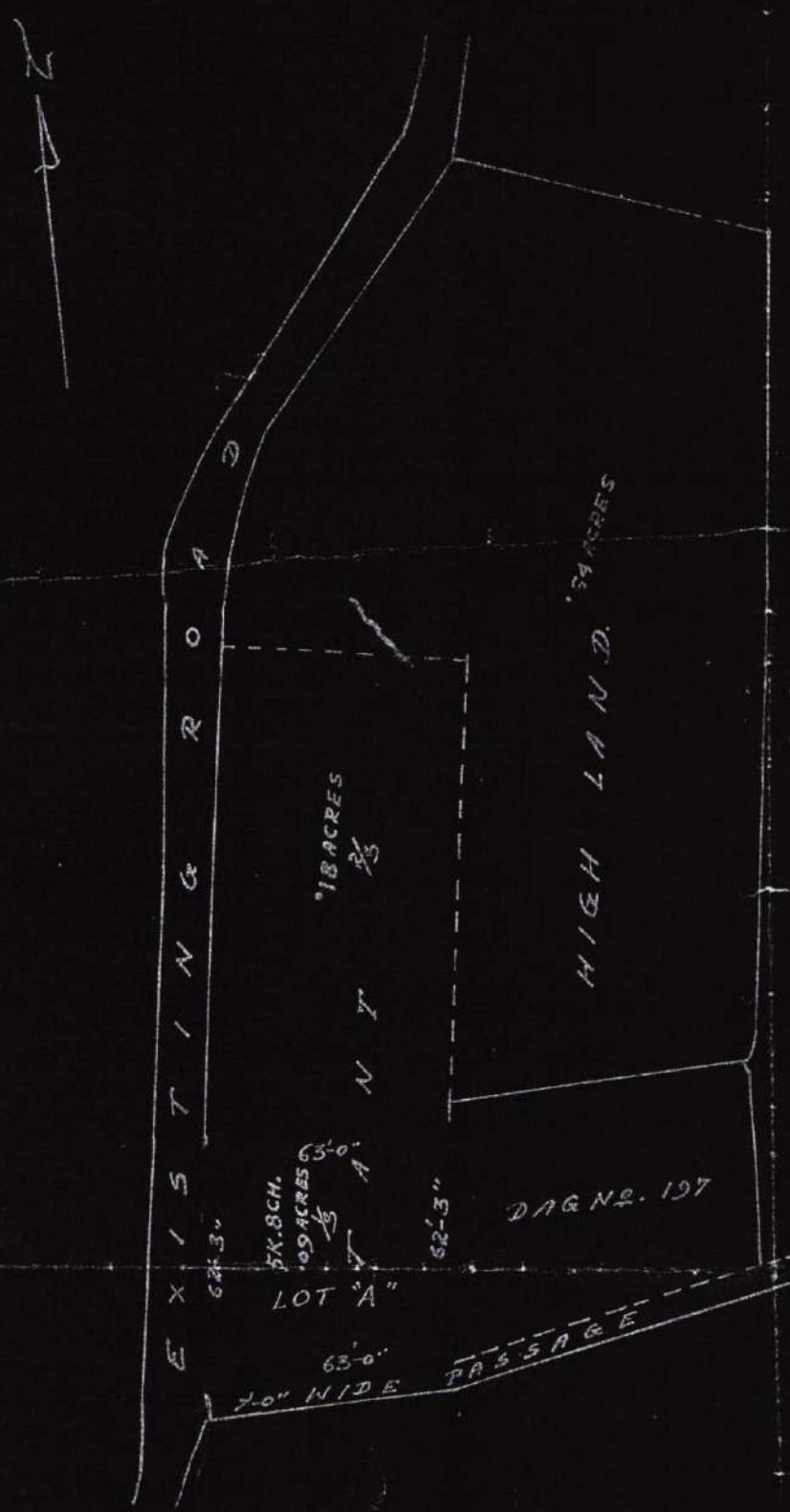
সেমতে প্রার্থনা -

উক্ত মোকদ্দমায় যে মোকদ্দমানামা
দরখাস্ত বন্নিয়াদে এবং তাহা ডিগ্রির
একাল গনন্য চূড়ান্ত ডিগ্রি প্রকাশ করিবার
পক্ষে বিধিত আদেশ দিতে আত্মগাম্ভীর্য।

ইতি তার ৪/৮/৭১

টাইপ কারক
এম এম ঘোষ
আলিপুর জজ কোর্ট।

PLAN OF DAG NO. 196 (NEW).
MOUZA---BALIA J.L. NO. 46.
P. S.-----SONARPUR
D. T.-----24 PARGANAS.
SCALE-----33¹/₂ FT = 1" INCH.





Examined and found to be a true
copy and correctly stamped.
Ratnawati Mishra
Alipore, 23/12/22. Copying Clerk
Dist. Judge's Court

Certified to be True Copy
Jehnu 23/12/22
Head Comptroller & +
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