

28.1. 2025
item No.3
n.b.
ct. no. 24

SA 218 of 2012
with
IA CAN 1 of 2012(Old No. CAN 1580 of 2012)

Palash Sarkar & Anr.

Vs.

Kumud Mondal & Ors.

Mr. Sarbananda Sanyal.

..... for the appellant.

The matter is assigned for signing the decree in term of Order XX Rule 8 of the Code of Civil Procedure, 1908.

It appears that the Court has allowed the appeal being SA 218 of 2012 thereby setting aside the judgment and decree passed by the First Appellate Court and by affirming the judgment and decree passed by the learned Trial Court.

The Order XX Rule 8 of the Code of Civil Procedure, 1908 provides:

“8. Procedure where Judge has vacated office before signing decree---- Where a Judge has vacated office after pronouncing judgment but without signing the decree, a decree drawn up in accordance with such judgment may be signed by his successor or, if the Court has ceased to exist, by the Judge of any Court to which such Court was subordinate.”

It appears that the Hon'ble Judge, who disposed of the appeal has vacated the office. Hence, this Court

being the successor of the said judge is hereby signing the decree according to the provision of Order XX Rule 8 of the Code of Civil Procedure, 1908 the this 28th day of January 2025.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)