

08.02.2023
SL No.1
Court No.8
(gc)

FA 95 of 2022

**Ramendra Sundar Mandal
Vs.
Smt. Chandralekha Roy
(Bharati Basu since deceased)**

Mr. Intikhab Alam Mina,
...for the Appellant.

This matter has appeared for correction of the judgment dated September 29, 2022.

At page 14 of the judgment the last sentence of the first paragraph shall stand deleted and replaced by the following sentence:

“It is further submitted that the presumptions contemplated under Section 111 of the Indian Evidence Act are only optional inferences that may arise from a particular relationship and not covered by presumptions under Section 114 of the Indian Evidence Act.”

The opening paragraph of the separate concurring judgment of Justice Uday Kumar should read:

“I have the advantage of reading the draft judgment of Hon’ble Justice Soumen Sen. While concurring with the view expressed by Hon’ble Justice Sen, I would like to give my view in justifying our decision to maintain the judgment of the learned Trial Court.”

The aforesaid paragraph shall be inserted at the beginning of the judgment delivered separately by Justice Uday Kumar.

The aforesaid corrections shall be incorporated in the judgment and order dated 29th September, 2022 and shall form part of the judgment.

The server copy shall be corrected accordingly.

(Uday Kumar, J.)

(Soumen Sen, J.)