

14.12.2023
Court No. 19
Item No.261
CP

C.O. No. 3852 of 2023

Sri Ananda Kumar Khan
Vs.
Joydeb Chandra Khan & Ors.

Mr. Ananda Kumar khan
... for the petitioner (in person).

The petitioner appears in person and prays for a direction upon the learned Civil Judge (Senior Division), Uluberia, Howrah to dispose of the Title Suit No. 129 of 2005 in terms of the direction of the Hon'ble Division Bench. The direction is quoted below:-

“31. The matter is remanded back to the Court below to pass a preliminary decree for partition within one month mandatorily and positively, after deciding the respective shares of the parties. The 18 properties mentioned in the Schedule shall be the subject matter of partition between all the parties.

32. After passing of a preliminary decree, the Court may appoint a Commissioner of Partition to divide the suit property by metes and bounds to the extent possible either by relocation and reallocation or any manner permissible in law. FA 189 of 2013 is, therefore, stand allowed and disposed of.”

The order of the Hon'ble Division Bench till date, is binding. The record do not reveal that such order has been challenged in the higher forum.

The learned court below is directed to act and proceed in accordance with law and dispose of the

said suit in terms of the order of the Hon'ble Division Bench.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)