

30.09.2024
(D/L-23)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 3551 of 2023

Sri Jitendranath Nandi & Ors.

-Vs-

Smt. Sasthi Goswami & Ors.

Mr. Debasish Chakraborty,

.... For the Petitioners.

Affidavit-of-service filed on behalf of the petitioners be kept with the record.

None appears on behalf of the opposite parties in spite of service.

The original nirupanpatra admittedly is in the custody of the father of the defendant no. 1, the opposite party no. 1, herein.

Without taking recourse to produce the original document direction for taking steps to prove the certified copy does not qualify the requirements of Section 65 of the Evidence Act, 1872, therefore, the order impugned dated July 27, 2023 passed by learned Civil Judge (Junior Division) Additional Court, District. Bankura in Title Suit No. 137 of 2016 is set aside.

C.O. 3551 of 2023 is thus allowed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)