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17.08.21

Ptn.No.ER-267/21

In the Court of the Id.7th Civil Judge(Sr.Divn.),Alipore,Dist. :
South 24-Parganas.

Title Suit No.36 of 1997

Smt. Gita Rani Ghosh & Another.....Plaintiffs.

- Vs. -

Sri Bijoy Krishna Ghosh & Otrs.....Defendants.

Order No.38 dated 25.04.2002

The put up petn. is moved today. Both the parties file a petn. along with sketch map praying for dismissing the suit for non-prosecution of the suit on the grounds stated therein. Heard both sides. Perused the record. The petn. is considered and allowed. Hence, it is,

ORDERED

that the suit be and the same is dismissed for non-prosecution.

D/C by me.

Sd/- Illegible (Torn)
7th Civil Judge(Sr.Divn.),
Alipore,South 24-Parganas.

Sd/- Illegible (Torn)
Civil Judge (Sr.Divn.),
7th Court, Alipore.
South 24-Parganas.

Typed by :-

S.Saha,
11.08.2021

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Ptn.No.ER-267/21

Filed On: 25.04.2002

श्री: देवा लक्ष्मी
श्री: देवाम लक्ष्मी
श्री: प्रतिबन्ती लक्ष्मी
Sd/- Annapurna Ghosh



L.T.I. of Smt. Gita Rani Ghosh
by the pen of Ananda Paul



L.T.I. of Smt. Gayatri Deuti
by the pen of Ananda Paul

Filed by Sd/- Illegible, Advocate for the Pltffs.

श्री: विष्णु शर्मा लक्ष्मी
श्री: अश्विनी लक्ष्मी
श्री: शशि लक्ष्मी
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Filed by Sd/- Illegible, Adv. for the Defdts. No.1 to 4

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Filed by Sd/- Illegible, Adv. for the Defdt. No.7 to 17



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District: South 24-Parganas.

In the 7th Court of Civil Judge (Senior Division) at Alipore.

Title Suit No.36 of 1997

Smt. Gita Rani Ghosh & Another.....Plaintiffs.

- Vs. -

Sri Bijoy Krishna Ghosh & Otrs.....Defendants.

The humble petition of the Plaintiffs and the
defendants;

Most Respectfully Sheweth :-

1. That the Plaintiffs are admittedly co-sharers of the defendants in respect of the suit properties described in Schedule 'A' and 'B' of the plaint. But in the suit for partition being Title Suit No.1 of 1963 filed by the defendants Nos.6 and others, the Plaintiffs were not impleaded and were not given any allotment. As such, the Plaintiffs filed the above suit for partition and for separate allotment of their shares in the suit properties.

2. That all the parties to the suit having accepted the genuineness of the claim of the Plaintiffs Nos.1 to 2 have mutually given separate allotments of two (2) Cottahs one (1) Chittack of land and two (2) Cottahs three (3) Chittacks twenty-one (21) Sq.ft of land with rights in attached common passages respectively in favour of the Plaintiffs Nos.1 and 2 in Dag No.279, Mouja Muradpur as shown in the Plan No.1 annexed hereto and the Plaintiffs have

already taken delivery of possession of the said lands allotted to them. As such the Plaintiffs intend not to proceed on with the above suit any more and above suit should be dismissed for non-prosecution. Be it mentioned that Bijoy Krishna Ghosh has obtained are attach 1 Cottah 1 Chittack in Dag No.281, Mouja Muradpur and he shall be entitled to construct safety tank on the south portion of the said land below the 4' ft. wide passage as shown in Plan No.2. All the parties to the suit have already obtained possession as per plan NOS.1 to 6 annexed hereto.

3. That your Petitioners state that as the Plaintiffs have already been received their separate allocations and have been fully satisfied with it, they do not intend to proceed with the suit any further.

4. That the plaintiffs and the defendants state that they have got no objection if Smt. Kanan bala Ghosh transfers her right, title and interest by way of Sale to any other party in respect of her property or part of it, obtained by her by virtue of the final decree in Title Suit No.1 of 1963 and by the petition of Amendment filed today for rectification of minor defect.

5. That this petition is filed bonafide and in the interest of justice.

Your Petitioner, therefore, pray that your Honour may be pleased to record the afore-said facts and dismiss the above suit for non-prosecution making this petition as a



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part of the order and/or pass such other order
or orders as your Honour may deem fit and proper.

And your Petitioner, as in duty bound shall ever pray.

VERIFICATION

I, Smt. Gita Rani Ghosh, one of the Plaintiffs and I
Smt. Kanan Bala Ghosh, one of the defendants, do hereby,
declare that the above statements are true to our know-
ledge. We sign this Verification in our Advocate's cham-
ber on 24.04.2002.

L.T.I. of Smt. Gita Rani Ghosh

by the pen of Ananda Paul.

—Smt. Kanan Bala Ghosh

Typed by :-

S.Saha,
11.08.2021



Certified to be True Copy
Saikat by 13/8/21
Head Comparing
Copying Department,
District Judge's Court,
Accepted u/s 19 Act. 1 of 1800

Examined and found to be a true
copy and correctly stamped.
Kamala Sarkar
Alipore Comparing Clerk
Date: 11/8/2021 Dist. Judge's Court