



Research under the Scheme for Action Research and Studies on Judicial Reforms

**Study of Court processes and Re-engineering Opportunities for
Improving Court efficiencies for Justice Delivery in India**

Submitted to
Department of Justice, Ministry of Law and Justice,
Government of India

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Study of Court processes and Re-engineering Opportunities for Improving Court efficiencies for Justice Delivery in India

Executive Summary

The Indian Judiciary is one of the three branches of the government and is independent from the executive and the legislature. The court system in India is set according to a hierarchy with the Supreme Court of India at the apex of the hierarchy followed by the High Courts of the respective states, then the District courts and then Magistrates of Second Class & Civil Judges (Junior Division) form the bottom of the hierarchy. While the Supreme Court of India is primarily an appellate court with a few instances of original jurisdiction, the High Courts also act as the administrative head of the subordinate judiciary in the respective states. Rules and regulations regarding administration, disposal of cases, language of record, etc. are largely determined by the High Courts.

Long delays in processing cases are common in the Indian judicial system. The incessant delays in the court cases affect fairness and efficiency of the judicial system which in turn weakens 'access to justice', democracy, the rule of laws and enforcement of those laws. This problem persists despite the fact that for more than 60 years, judges, lawyers, and policymakers in India have studied and experimented with ways to speed the processing of civil and criminal cases. Delay reduction programs, however, need to be checked at the micro level rather than providing general prescriptions for major causes of delay.

The judicial delay and the resultant access to justice issues have led to affirm the belief that "Law is nothing but the convenience of the powerful". Law and the judicial system must work equally for all sections of the society, yet it runs parallel between two different sections of the society – one for the rich and the resourceful, and the rest with no or limited resources. Large backlog of cases have not only resulted in justice delay but a long pending resolution of such cases have been creating frustration within the society as well causing inevitable abuse and lack of trust on the system and policymaking at large. This report attempts to understand the sources of those delays and propose some corrective measures that may be considered to tackle the delays.

Types of Functionalities identified

40 randomly selected civil cases (See Annex I and II) of different types from the 24 South Parganas District Court jurisdiction were analysed to understand the functionalities involved and delays in detail. Summary of each case is listed in the appendix. The following tables summarize the duration of the delay and the percentage contribution to delay.

Type of Functionality	Average Duration in Weeks
Court functioning	35.79
Awaiting order/instructions from High Court	22.00
Request by defendant	13.38
Request by plaintiff	11.33
Adjourned for passing judgment	9.13
Presiding officer busy	7.32
Presiding officer on transfer order	5.12
Presiding officer on leave	4.75
Scheduling error/holiday declared/strike	4.53

Both parties absent	3.43
Plaintiff absent	3.00
Defendant absent	2.50

In depth interviews were conducted to understand stakeholders view on the delay and propose corrective measures accordingly.

Litigant's views

- Constant adjournments: The pre-announced dates undergo constant changes because of the excuses given by the other side or opposition party. The usual stated reasons are that the senior lawyer is absent, the client couldn't be present for the hearing, some annexures need to be attached, there are smaller petitions pending that needs to be disposed off, etc. The inability of the litigant to be present on most dates and the lacunae of the system to check the same has often been used by lawyers a frequent reason for the adjournment. Adjournments are also asked when lower court record for the previous case needs to reach the courtroom without which there can't any proceeding.
- Another key reason stated by most litigants is the absence of judges in many cases. Since he is the presiding officer, every decision needs his attestation for the order to be put into effect. Either they are burdened with overload of cases, on leave or being transferred. In such cases the litigant is given another case date. Apart from these causal reasons, it has been noted by some litigants that the judge, even being present in the court has to give another date for hearing or for disposal of petition.
- Multiple cases are filed by the same person, record from the previous cases need to be annexed filing of same cases in the higher court for revision are also reasons that delay the initial / main case to a great extent. In some cases it takes years for the previous records to be retrieved from the lower court record room because they are not indexed and maintained properly.
- At times delay is also from the litigant's part because there might be some latent /hidden benefit that has led to filing of the cases. Thus they file cases to drag them.
- Since the lawyers are also colleague cum friends, sometimes they plan and take steps accordingly without the conscious agreement or knowledge of the litigant.
- Holidays and vacations also leads to court adjournments thus leading to subsequent delays - another issue cited by the litigants. Practically, a case end up getting only 5- 6 dates in a year at most which is one of the lingering causes for the pendency of the cases. In lower courts a total of 220 working days with huge backlog of cases has been creating frustration and disappointments across all sections of the society.
- Absence of lawyers has been stated as one of the prime reasons for adjournment in the court functioning processes. Further, since advocates have to deal with multiple cases at the same time they can't be present everywhere, hence some cases have to delay so that pertinent ones can be immediately attended. Lawyers also continue to take long dates so as to cover the tenure of the current judge (the tenure of a judge is for a period of 2-3 years) and present the case afresh to the new judge.

- Requests from the lawyers like the senior lawyer being not well or the opposition party is staying out of the state or country or evidence not able to come or be presented or proper documents and exhibits needs to be attached as annexures or some smaller petition is still pending which needs to be disposed before moving to the main case are also cited as cause of delay.

Lawyer's views

For decades, it has been seen that lawyers have primarily been the agents who link the requirements of the litigants to the suitability of the legal procedures being installed by the legal system.

- The primary reason for delay as explained by most of the lawyers is lack of judges. Since judges are holding the autonomy to pass a judgement for disposal of cases, they are the ultimate decision makers. But since they are an integral part of the court management system, they are also responsible for the administrative duties and responsibilities which includes, disposal of interim petitions, transfer orders, busy with other cases or court related work etc. In lower courts, judges are transferred every 2-3 years which may also causes the seats to remain vacant for months or more because of paperwork and sorting issues related to pendency of cases. Also there are delays related to the appointment of judges which is a very cumbersome process as stated by most of them because its time and opportunity costs are high.
- The second reason is poor infrastructure as stated by few lawyers. Due to less court rooms and high pendency of cases (both old and fresh cases), the problem of multiple dates for disposal of one case is an inevitable problem.
- There is a pertinent problem of inadequate court staff who are responsible for the maintenance and protection of court documents as well as to guide the lawyers and litigants to the whereabouts of their cases. The problems of absenteeism, low commitment towards their work, short duration transfers and lack of administrative training has been intermittently contributing to the long delays as well.
- Technology is a very important and the most required component to bring drastic change in the lower courts which is followed by Supreme Court and high courts in India. Massive cases are lying in the court rooms which still need to be replaced by the digitisation. For e.g. – in some civil cases it has been seen that the lower court record (LCR) takes years to reach the respective court room, because the records are not yet found by the personnel in the record room. Most cases have many interim petitions and other smaller cases added to them which requires to be disposed off before moving to the main case. Thus lack of adequate technology is leading to higher pendency of cases.
- There is a huge delay due to the processes of court functioning which results from the litigants occurring during the trial stage namely non-attendance of witnesses, non-appearance of lawyers, lengthy oral arguments, arbitrary adjournments, delayed judgments.
- Lastly, cases are dragged by either of the party in some cases because there is a greater profit / benefit that is available on filing a case, hence misused by litigants or lawyers at times. Thus the legal system is sometimes misused by frivolous litigation. There are also delays whenever appeals are filed by litigants on matters of fact or matters of law , causing delay at the appellate stage . Moreover, during the execution stage also some form of delay does happen for instance in eviction cases related to urban property, delays are caused by successive attempts to obstruct delivery.

Thus it is greater need for significant contribution from the Government to improve the judiciary process. More commitment, improved and well implemented policies would eradicate the problem of neglect that litigants are facing in the hands of a system which disregards their sufferings instead of reciprocating to them.

Select recommendations for improvement (see pp. 41-48)

- Long adjourned time period. Being the decision making authority of the court, presiding officers should be sensitized about the apathy of litigants for this delay. Attempt must be made to speedup long pending cases with shorter adjournments, and the presiding officer must be empower to such discretionary power in the interest of the judicial process. Behavioural training should be imparted at a frequent intervals to sensitize the presiding officers. Some policy changes in terms of designing a penalty structure is required to stop unnecessary adjournments. Secured video conferencing facility may be established to reduce the time delay.
- The court administration and other personnel are equally responsible for the adjournments, having their individual contributions in the cases as a whole. Thus proper training and recruitment of more focussed and efficient personnel can lead to less of carelessness and more of seriousness from their side. Many of them can also be outsourced to meet the growing requirement of handling multiple cases and the backlogs.
- Lawyers are mostly willing to file multiple cases within the radar of one lawsuit because this is their business. But the judges have the authority to accept or reject such petitions after careful perusal or may be dispose of the petition within a week's time. Thus putting limit caps on the duration of smaller petitions can definitely help the litigants to a great extent.
- Digital technology has reached its peak in every aspect of our lives hence it should replace the manual labour that still operates within the congested and overcrowded rooms of lower courts leading to lesser paper filing and more sorted digitisation of cases. The court rooms needs to be cleaned and infrastructure needs to be expanded to house the many cases that are being filed already and are being filed every day. Online tracking and monitoring of cases by a central information system of the court could be helpful. Many more fast-track courts are required even if they would be premium pay based - at least judgement will be delivered, more judges or a body to take decisions should be there to monitor the cases online, time based settlement and clustering of same cases can lead to easy facilitation.
- Round the clock court service which centralized facility for filing of cases, fees, document uploads.
- More judges needs to be recruited to fill up the vacancies and meet the court's demands. No room should lie vacant, moreover, all the cases that need to be heard on a particular date should be heard on the same day and not being given an adjournment, to be heard on the next date.
- The judges must be empowered to provide for promptness in delivering the judgements. Providing managerial training programmes for judges and court official to increase efficiency in their respective job roles and duties is essentially important.
- More judges should be recruited, thereby increasing the number of sanctioned judges to fill up the vacancies; special attention should be paid to the transparency of the procedures in order to avoid cases of nepotism or political influence in the appointment of judges.

- All courts should be on a fast track mode - the way fast track courts work especially during the trial stage where maximum delay is caused. A period of 5 years should be fixed for the disposal of cases, putting limit caps to case duration.
- The working days of judges and other court officials needs to be increased on an average. Due to strikes and holidays the lower courts functions for a period of 220 to 240 days or less. This leads to delay in cases a whole. Also , it should be noted that the problem of multiple cases (a court date is assigned after 2 months hence 4 to 5 dates in a year) , their complexities and lesser working days leads to increase in case duration. Implementing such cultural changes in particular can be difficult because they require changes in the way people work.

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I. Introduction

1. The Judiciary in India

1.1 India inherited its judiciary and judicial processes from the English legal system and is largely based on the common law. The Indian Judiciary is one of the three branches of the government and is independent from the executive and the legislature. The court system in India is set according to a hierarchy with the Supreme Court of India being at the apex of the hierarchy followed by the High Courts of the respective states, then the District courts and other subordinate judiciary forming the bottom of the hierarchy. While the Supreme Court of India is primarily an appellate court with a few instances of original jurisdiction, the High Courts also act as the administrative head of the subordinate judiciary in the respective states. Rules and regulations regarding administration, finance, disposal of cases, language of record, etc. are determined by the High Courts. [1].

2. The Supreme Court of India

2.1 The Supreme Court of India is the highest judicial authority in the country. It is the final court of appeal under the Constitution of India. It is also the highest constitutional court with the power of judicial review. As the highest court of appeal, the Supreme Court primarily hears cases of appeal against judgments/orders passed by the various High Courts and other tribunals. It is primarily a court of appeal enjoying original jurisdiction only in the cases pertaining to fundamental rights of citizens, cases involving substantial matters of law and disputes between various governments in India (between two or more states or between states and the centre). Apart from appellate and original jurisdictions, it also has advisory functions. It may hear matters referred to it by the President of India in an advisory role. Since it is the highest court of the country and since India is a common law country, any judgment passed by the Supreme Court of India immediately becomes law of the land and is binding on all lower courts, citizens and other authorities of the country.

2.2 The sanctioned strength of the Supreme Court of India is 1 Chief Justice of India along with 30 judges of the Supreme Court. Articles 124 to 147 (Chapter IV of Part V) of the Constitution of India deal with the role, responsibilities and powers of the Supreme Court of India [2].

3. High Courts of India

3.1 India has 24 High Courts at present at the state and union territory level. Each of these High Courts has jurisdiction over a state (like in the case of Rajasthan or Tamil Nadu), union territory (New Delhi) or a combination of states and/or union territories (High Court of Judicature at Hyderabad, Punjab and Haryana High Court or Bombay High Court). The High Court has original jurisdiction as well as appellate jurisdiction within territory over which it

has geographical jurisdiction. As a court with original jurisdiction, suits and cases can be directly brought to it in a wider variety of matters than enjoyed by the Supreme Court of India. As an appellate court, it has jurisdiction on all matters disposed of by the lower courts and some tribunals in its geographical jurisdiction. The High Courts also has administrative responsibilities apart from juridical responsibilities, with the High Court being responsible for setting out the administrative mechanisms for the lower courts under it. These include various civil courts, criminal courts, family courts and other district courts. [3]

3.2 Articles 214 to 232 (Chapter V of Part VI) of the Constitution of India deal with the role, responsibilities and powers of the High Courts of India.

4. Challenges facing the Judiciary in India

4.1 The judiciary in India has done remarkably able to retain the confidence and popular imagination of the citizens. Although the number of cases/suits pending in the courts is very high and the average case takes a few years before reaching completion, the people of the country repose remarkable faith in the judiciary and judicial process in general. The judiciary is seen as a bulwark against the corruption that is supposed to be perpetuated by the other branches of government. It is also seen as one of the few institutions which fight for the cause of the common man. [4]

4.2 Despite the overwhelmingly positive attitude of the public towards the judiciary, there are several issues that plague the judicial system in India. The first and foremost is the issue of trials pending by the millions. Indian courts have millions of pending cases. According to the National Judicial Data Grid (accessed on 20 Dec 2018), there are close to 29 million cases (both civil and criminal) pending across the various district and lower courts in the country. Of these, over 56% are cases which have been pending for more than 2 years. In the various High Courts, the number of pending cases is around 5 million cases.

4.3 If we look at the numbers for the state of West Bengal, which is the focus of this project, the numbers are even worse. The state has about 2.2 million cases pending at the District and Taluka Courts, of which more than 30% of these have been pending for more than 5 years. The number of new cases filed in West Bengal in the last month (18985) outstrips the number of cases disposed of (14032) by around 5000 in the same period. At the High Court of Calcutta, about 243456 cases are pending in with about 37% pending for more than 10 years. (National Judicial Data Grid (accessed on 20 Dec 2018).

4.4 This brings us to one of the core issues that troubles the judiciary. The number of **judges is grossly inadequate** to handle the increasing workload of cases. This point was poignantly driven home by the Chief Justice of India in a joint conference of the Chief Ministers and Chief Justices of High Courts last month. Addressing the conference, the Chief Justice of India lamented the fact that the executive was not proactive enough in raising the

sanctioned strength of judges in the judiciary from the current 21,000 to the required 40,000. He highlighted the recommendations of the Law Commission in 1987 which suggested that the number of judges be raised from 10 judges per 10 lakh people to 50 judges per 10 lakh people.

4.5 During interaction with the judges in the civil courts at the District and Sessions Court at Alipore, it was observed that a Civil Judge (Junior Division) has to handle approximately 60-65 cases/suits on average daily. This number is much higher for judicial magistrates (who deal with criminal cases) touching almost 200 on average per day. Of the 60-65 cases/suits that come up before the Civil Judge (Junior Division), around 10-15 are cases for which final hearing is due, 15-20 for which substantial hearings of petitions are to be done (each of these can range from around 15 minutes to a few hours) and the rest (30-35 cases/suits) which are in different initial stages.

4.6 While most judicial officers we spoke to seem to agree on the requirement for more number of courts and appointment of judges, they caution against indiscriminately setting up of the same. It has been consistently pointed out to us that along with increasing the number of courts set up, the administration should also pay attention to the case load in the different areas/police station limits. Several examples have been given where a court has been established in a town which has medium case load (thus reducing the burden on the existing courts of that town to a lesser extent) while cities/towns with very high case load have not been sanctioned more courts/judges. Also, it has been pointed out that along with setting up new courts, the strength of the support staff needs to be increased. In many of the courts in West Bengal, the situation is that the strength of the support staff has not been increased by much in the last few decades (a lot of the sanctioned posts are lying vacant as well with recruitment not having happened in the recent past) while the case load has increase many times. As a result, it is an open secret that there are non-employees working in the court helping the clerks and judges with various tasks such as filing, scheduling, etc. (Since these people are not employees of the court but still need to be paid, it is anybody's guess as to how they are paid).[5]

4.7 This huge case load faced by the subordinate courts is further complicated by the **relationship between the High Court of the State and the lower courts**. While the High Court is strictly an appellate court when it comes to suits/cases which fall under the pecuniary and territorial jurisdiction of the lower courts, the parties to these suits can always approach the High Court alleging violation of their rights in the proceedings of the lower court and seeking redressal of the same. These are either in the form of an appeal or revision. Most of these are in form of revisions, wherein the High Court need not ask for reasoning and generally takes a decision based on the facts available to it (either in the form of the case notes of the lower court or submissions by the party in front of the High Court). In such a scenario, the High Court might not go into great detail into the details of the case and there is a possibility of being

swayed by misrepresentation by the party (Of course, in situations where said misrepresentation is noticed, the penalties are severe and swift). As a result of this, in situations where one of the parties is engaging in delay tactics trial court judges are reluctant to issue orders penalizing the party responsible (as said party may approach the High Court and obtain a stay order or revision which would delay the suit further). [5]

4.8 The other major issue which is hampering the speedy disposition of justice is the poor infrastructure that the judiciary has to work with. The courtroom had files stacked all along the walls and in every available space (within cupboards, on shelves, along the floor, even in nooks and crannies). There are 4 wooden benches made available for sitting with 2 of the benches being used by the two different parties and their respective lawyers (the other 2 benches appear to be for the use of witnesses, observers, parties to other cases scheduled for the day, etc.) There is one judge in every court, one peshkaar (court crier) who makes pronouncements calling different parties or witnesses to the court, one stenographer and one additional clerk. The files which are stacked in the court room as well as in the judges' chambers that are in a very poor condition – with one of the clerks in a different court room we spoke bemoaning the possibility of their being lost to termites/rats or rains.

4.9 The court proceedings are conducted in Bengali although the orders are recorded in English and the records also maintained in English. There was a brief period in the early 2000s when the orders were recorded in Bengali as well in accordance with a guidance issued by the Calcutta High Court. But they have reverted to recording the proceedings in English since then.

4.10 For the entire duration of the proceedings the court room was open (doors and windows open). This meant that one could clearly hear the court criers of other court rooms calling for the parties to be present, people gossiping and arguing in the halls, traffic on the street, etc. All of this was clearly having an effect on the environment in the court room and reflected in the behaviour of the lawyers, parties and clerks themselves. There were numerous occasions when lawyers who were not arguing their case would walk in and speak to the peshkaar or the other clerk (maybe in an attempt to get a favourable scheduling) or chatting with each other and the clerks (there was an incident where the senior lawyer was presenting the case to the judge and junior lawyer was chatting with the clerk – not discussing but chatting).

4.11 The lack of professionalism or lack of fear of adverse consequences also encourages parties to a case to not turn up for their hearings. Parties typically file 'hazira' before the court on the morning of their hearing. 'Hazira' is akin to the parties marking their attendance in the court. However, filing 'hazira' does not imply that the parties shall be present later during the day when they are called on to present their case. In the two suits that we shall discuss, the proceedings were adjourned on numerous occasions because either one of the parties of both

the parties did not turn up (sometimes despite filing 'hazira'). On such occasions, we believe that the guidelines do not encourage the judges to impose penalties on the parties in the interest of serving justice. However, it is this good natured intention that the parties take advantage of and try to drag proceedings as long as possible if they feel they may end up with an adverse judgement. This is one of the ways in which cases are delayed. Another is by speaking to the clerk and getting the scheduling of the case postponed or delayed as much as possible.

4.12 While all of the above mentioned points might seem like they require a long term solution both in terms of physical infrastructure as well as change in the behaviour of the court officials (lawyers and clerks), there are some minor modifications which we believe can be undertaken and which could go a long way in smoothening the functioning of the court. While each court room and judge's chambers are equipped with a Personal Computers (PC), we rarely found the judge or the clerk using the PC during the course of proceedings. Even the scheduling of the cases was being done manually with the court diary being referred to before fixing the date of the next hearing. We feel that using an automated process or a software to do the scheduling would smoothen the process greatly while at the same time allowing the judges to balance their work load on any given day (which would further reduce the possibility of cases being adjourned due to large work load). At the same time, conducting an HR audit of the legal system which would allow for the updating of the required number of posts, notifying the increased requirement and conducting recruitment drives for these posts would greatly help in reducing the burden on the existing judicial officers and support staff. Apart from reducing the burden, it would also help in making the system more impervious to graft and influence. [7]

5. Process Flow of a suit through the Court

5.1 While we have spent considerable time on trying to obtain a view of the problems that are plaguing the judiciary on a macro-level, we will be hard placed to address these issues if we the approach we take to solving these issues is purely from a macro-level. We need to put forward solutions that are able to address the issues both at a policy level as well as from an operational level on a day-to-day basis.

5.2 However, before we get into understanding the issues at the lower courts level as well as trying to foresee possible complications in implementing solutions, we need to first understand how the cases/suits make their way through the legal system. We will be looking at the general path taken by a suit in the lower court. Once we understand the process as a general case, we will look at a specific suit to see how the flowchart/process was followed in that particular suit. [8]

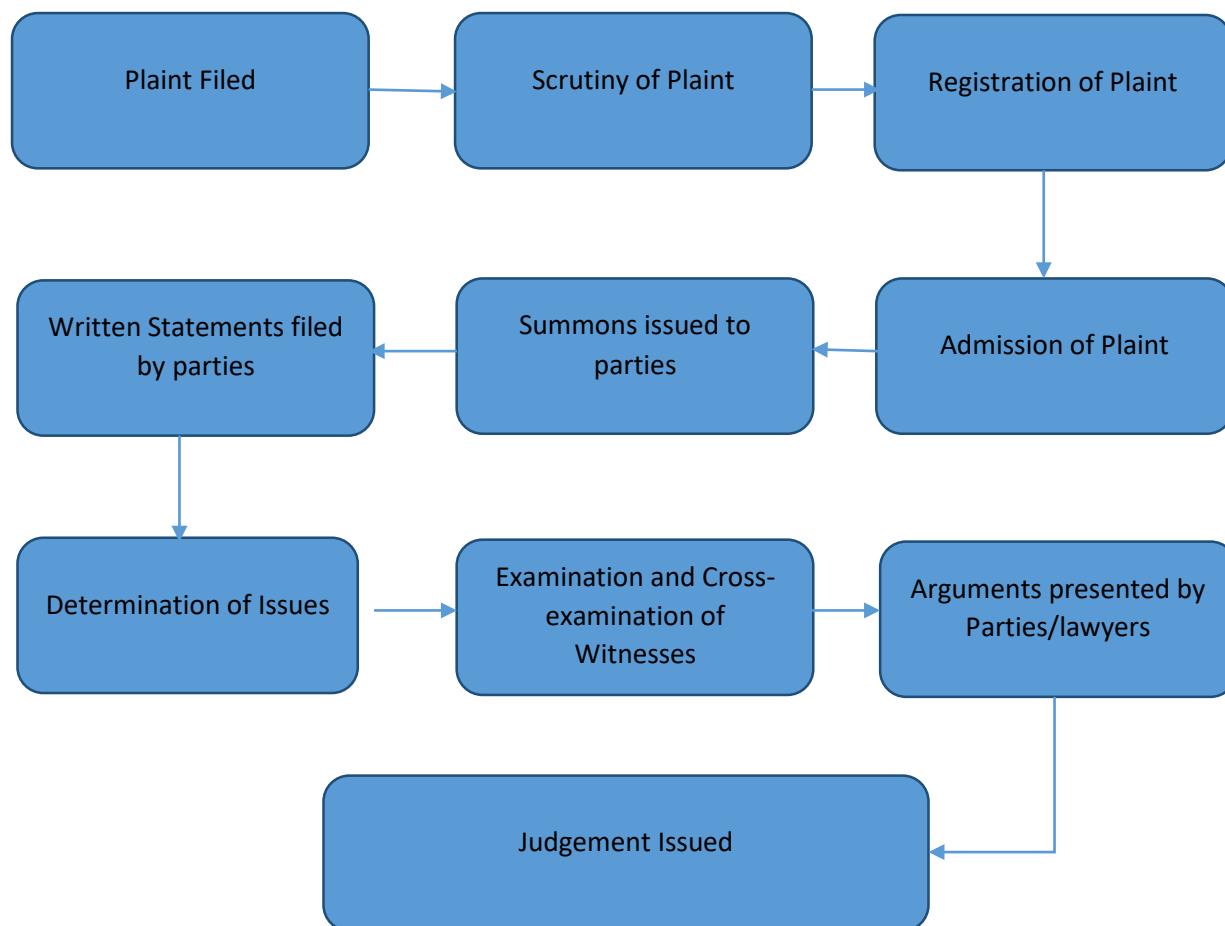


Figure 1: Process Flow of a representative court case

5.3 As we can see from the flowchart above, the entire process from the filing of a suit (also called a plaint) to the issue of judgement encompasses 11 steps. These steps are listed below:

1. Plaint filed
2. Scrutiny of plaint
3. Registration of plaint
4. Admission of plaint
5. Summons issued to parties
6. Written Statements filed by the parties
7. Determination of issues
8. Examination and cross-examination of witnesses
9. Arguments by parties/lawyers
10. Judgement issued
11. Execution

5.4 The first four steps of this process comprise the stage of pre-admission where the court is evaluating if the plaint is even to be admitted or to be straight-away dismissed. The next 3 steps of the process are part of the pre-hearing stage. It is in stage 7 where the determination of issues that need to be resolved in the suit are identified/finalised that

parties may file interlocutory petitions with the court with various prayers such as dismissal of the case, prayer for interim relief, petitions regarding locus standi, etc. The steps 8 to 10 comprise the actual stage of hearing where the learned judge listens to the evidence presented by and arguments of the parties and/or their lawyers and issues a judgement based on them.

5.5 Once the plaint is received by the court, scrutinised, the requisite fee paid and the plaint has been admitted by the court, the court directs the issuance of summons to the opposing party asking them to file a written statement within a particular duration of time. The entire process of the suit now comes into its main stages with the majority of the adjournments happening from this stage onwards. The pre-admission stages of suits are purely administrative and there is not much delay happening at the pre-admission stage.

5.6 With a view to understand the movement of suits through the system and try to identify that major causes for the adjournments granted and delay in deciding the suits, we randomly selected two cases from the court of Civil Judge (Junior division), Alipore Court. We shall look at the subject matter of the cases below with the actual proceedings of the cases being summarized in the appendices. We shall also be presenting two other appendices, where we will summarise the duration and number of adjournments classified according to cause. [8]

6. The District Judge's Court, South 24 Parganas District

6.1 The South 24 Parganas district was formed when the erstwhile 24 Parganas district was divided into two parts – North 24 Parganas and South 24 Parganas – in March 1986. Before the division, the 24 Parganas district was the largest district in terms of area in West Bengal. After division, the South 24 Parganas division is the largest district in West Bengal in terms of area. The South 24 Parganas district is also the second most populous district in the state of West Bengal. [9]

6.2 The highest court in the South 24 Parganas district is the District Judge's Court also known as the Alipore Sadar District Court. These court premises which have been declared a heritage structure are historical in nature with the buildings being the place where the trial of Rishi Aurobindo Ghosh took place in the *Alipore Bomb* case (May 1908-1909).

6.3 The current project is focused on the cases randomly selected from this Alipore District Court jurisdiction. A total of 125939 Civil Cases 210977 criminal cases are pending in South 24 Parganas district as on 20 Dec 2018 (National Judicial Data Grid (accessed on 20 Dec 2018)). The territorial jurisdiction of South 24 Parganas district court is shown in the table below:

Table 1: Jurisdiction of South 24-parganas district court

Sl. No.	Court	Jurisdiction
1.	1 st Civil Judge Sr. Division, Alipore	Alipore, New Alipore. Chetla
2.	2 nd Civil Judge Sr. Division, Alipore	Ballygunge, Kareya
3.	3 rd Civil Judge Sr. Division, Alipore	Metiabruz, Regent Park, Nadial, Rabindranagar, Bansdrani
4.	4 th Civil Judge Sr. Division, Alipore	Bhowanipore, Kalighat, Tiljala
5.	5 th Civil Judge Sr. Division, Alipore	Ekbalpur, Jadavpur, Kasba, Purva Jadavpur Garfa
6.	6 th Civil Judge Sr. Division, Alipore	Budge Budge, Garden Reach, Taratala, Watgunge, Nodakhali
7.	7 th Civil Judge Sr. Division, Alipore	Behala, Thakurpukur, Bhangore, Maheshtala, Cossipore, KLC, Haridevpur, Parnasree
8.	8 th Civil Judge Sr. Division, Alipore	Tallygunge, Charu Market, South Port
9.	9 th Civil Judge Sr. Division, Alipore	Gosaba, Lake, Sundarban Costal
10.	10 th Civil Judge Sr. Division, Alipore	Bishnupur, Gariahat
11.	1 st Civil Jr. Division, Alipore	Tiljala, Kasba, Jadavpur, Regent Park, Purva Jadavpur, Garfa, Bansdrani
12.	2 nd Civil Jr. Division, Alipore	Alipore, New Alipore, Ballygunge, Gariahat, Kareya, Chetla
13.	3 rd Civil Jr. Division, Alipore	Tallygunge, Charu Market, Lake, South Port, Metiabruz, Nadial
14.	4 th Civil Jr. Division, Alipore	Bhowanipore, Kalighat, Gosaba, Sundarban Costal
15.	5 th Civil Jr. Division, Alipore	Thakurpukur, Behala, Garden Reach, Watgunge, Haridevpur, Parnasree
16.	6 th Civil Jr. Division, Alipore	Bhangore, Bishnupur, Budge Budge, Ekbalpore, Cossipore, Maheshtala, Nodakhali, Leather Complex
17.	Sealdah (Civil & Criminal)	Entally, Narkeldanga, Manicktala, Tangra, Bellaghata, Beniapukur, Topsia, Tala, Sinthee, Ultandanga Cossipore, Ballygunge, G.R.P., Dum Dum G.R.P.
18.	Baruipur (Civil & Criminal)	Canning, Baruipur, Joynagore, Basanti, Sonarpur, Kultali, Bhangore, KLC, Sonarpur, Baruipur, Joynagar, Cossipore
19.	Diamond Harbour (Civil & Criminal)	Diamond Harbour, Falta, Kulpi, Mograhat, Mandir bazar, Usthi, Ramnagar, Mathurapur, Raidighi
20.	Kakdwip (Civil & Criminal)	Kakdwip, Patharpratima, Sagar, Namkhana
21.	Alipore (Criminal) Kolkata Police	Kareya, Bhowanipore, Ballygunge, Gariahat, Lake Market, Alipore, Taratala, Ekbalpore, Wattgunge, South Port, Tallygunge, Garden Reach, New Alipore, Kalighat, Chetla
22.	Alipore (Criminal) Bengal Police	Nodakhali, Maheshtala, Budge Budge, Bishnupur
23.	Executive Magistrate (1st Court)	Alipore, Chetla, New Alipore, Kareya, Ballygunge, Gariahat, Tallygunge, Charu Market, Lake, Bhowanipore, Kalighat, Garden Reach, Taratala, Wattgunj, Ekbalpur, South Port
24.	Executive Magistrate (2nd Court)	Behala, Thakurpukur, Metiaburuz, Nadial, Rabindranagar, Tiljala, Jadavpur, Purba Jadavpur, Kasba, Regent Park, Maheshtolla, Bishnupur, Nodakhali, Budge Budge

7. Objective of the Study

7.1 Subordinate judiciary the first point of judicial access for the people and the problems of judicial processes are felt the most. It is for this reason that our study is proposed to be conducted at the subordinate court level and the cases are randomly selected from the Alipore jurisdiction from the main documentation room. Our proposal proposes to study:

Study of Court processes and re-engineering opportunities for improving court efficiencies for justice delivery in India

The study would focus on the following sub-themes:

- a) Identifying the bottlenecks responsible for causing delay in disposal of civil cases in courts and possible policy and procedural changes necessary for reduction of pendency;
- b) Study on court management techniques for improving the efficiency of subordinate courts; and
- c) Re-engineering procedure of process service for reducing delay in court proceedings.

More specifically, the project Objective is:

1. Identifying the bottlenecks responsible for causing delay in disposal of civil cases in courts and possible policy and procedural changes necessary for reduction of pendency
 - a. To focus on a small set of bottleneck activities contributing to the court delays for faster action
 - b. To focus on the policies which contribute to the court delay without any significant impact on the decision making (quality)
2. Study on court management techniques for improving the efficiency of subordinate courts
 - a. To identify and resolve operational, policy oriented and people related issues in subordinate courts which led to the delay in overall case resolution
3. Re-engineering procedure of process service for reducing delay in court proceedings
 - a. To reduce the delay at all levels of the judiciary system, e.g. in subordinate courts, district courts and constitutional courts etc.
 - b. To understand the impact on the identified processes because of computerization in terms of change in processes and change in the existing responsibilities of the stakeholders associated to the processes

These four interconnected issues have close bearing on the effectiveness of judicial processes. The study shall analyze each topic and would attempt to prescribe systemic solution to address both specific and general problems.

8. Methodology

8.1 The study used both quantitative and qualitative survey methods. The quantitative survey comprised a court case survey (at court point) to fetch specific relevant information. These responses allowing us to produce a richer analysis by identifying major delay types along with both duration and frequency of delay [10]. Once we have identified the major delay sources, a qualitative survey methodology is adopted to seek responses from both litigants and lawyers to understand their views against the observation from case analysis.

8.2 The qualitative component of the research included Key Informant Interviews (KIIs), in-depth interviews (IDIs), case studies, and a review of court documents in court [11]. A total of 23 in depth Key Informant Interviews (KIIs) and 40 case studies of court cases (all of which were closed with verdict delivered in between 2010 and 2013) and literature review of relevant reports, project design document and court documents, were employed. Target groups for the interviews were the two key stakeholders (litigant and lawyer) of the Indian judiciary.

II. Findings from Case Research

9. Analysis of the Court cases and Types of functionalities identified

9.1 We analysed randomly selected 40 civil cases of different types from the 24 South Parganas District Court jurisdiction to understand the reasons of case processing times and delays in detail. Summary of each case is listed in the appendix. In this section, we provide a snapshot by identifying major functionalities along with both duration and frequency of functionality. The following tables summarize the duration of the functionalities and the percentage contribution of each functionality.

Table 2: Duration (in weeks) based on different functionalities

Type of Functionality	Average Duration in Weeks
Court functioning	35.79
Awaiting order/instructions from High Court	22.00
Request by defendant	13.38
Request by plaintiff	11.33
Adjourned for passing judgment	9.13
Presiding officer busy	7.32
Presiding officer on transfer order	5.12
Presiding officer on leave	4.75
Scheduling error/holiday declared/strike	4.53
Both parties absent	3.43
Plaintiff absent	3.00
Defendant absent	2.50

Table 3: Percentage contribution in duration (in weeks) by different functionalities

Type of functionalities	Average Percentage Contribution by Functionalities in Weeks
Court functioning	41.08%
Request by plaintiff	15.22%
Request by defendant	13.42%
Presiding officer busy	6.83%
Scheduling error/holiday declared/strike	6.72%
Presiding officer on leave	5.20%
Presiding officer on transfer order	3.89%
Awaiting order/instructions from High Court	3.07%
Adjourned for passing judgment	2.50%
Defendant absent	0.84%
Plaintiff absent	0.77%
Both parties absent	0.46%

9.2 We have also illustrated the pareto diagram by sorting the functionality types with respect to both duration and frequency as follows:

Figure 2: Duration (in weeks) based on functionalities

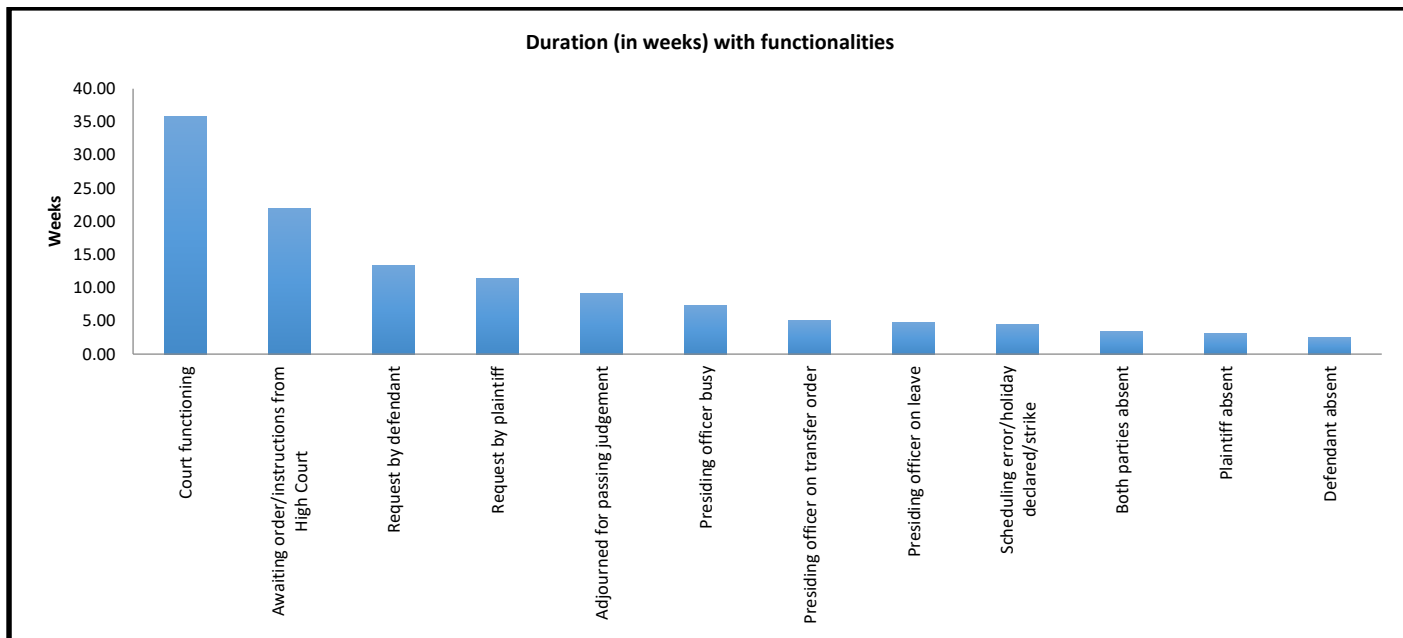
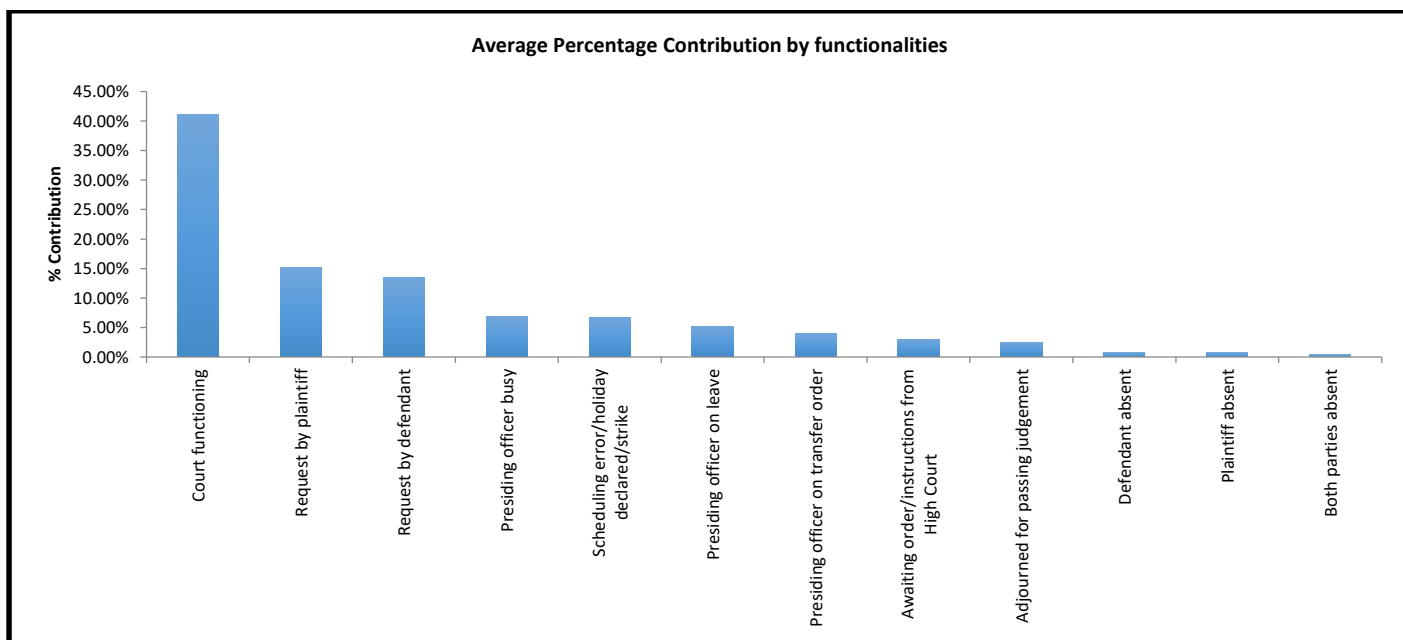


Figure 3: Percentage contribution of different functionalities to the total duration



9.3 From both tables and figures, it is evident that Court Functioning along with Requests by litigants (plaintiff or defendant) primarily contribute to the case duration in delivering the

judgment. We have defined court functioning as a broader reason bucket to cover those reasons that cannot be specified within a particular source of delay. For examples, following sub-categories are included in court functioning:

- Information delay: During the court proceedings, litigant is requested to provide additional information to substantiate certain arguments. Providing this information takes significant amount of time primarily because of two reasons: a) difficulty in obtaining the desired information with very limited support from the court side and b) the party is unwilling to divulge the information.
- Adjournment by the Presiding Officer: Presiding officer also adjourns multiple times for various reasons that include seeking more information from both parties, requesting for witnesses, etc.
- Long adjourned time period: The time period between two adjournments are significantly longer than the average duration. There is no specific control that is exercised to reduce the inter-adjournment time if sought intentionally by the litigant. This study found no procedural understanding on the maximum idle time that forces all stakeholders to expedite the process.
- Absence of witness and follow up action: In many situations, presiding officer has to wait for a particular witness to appear and it takes longer time than expected. There are vested interests that contribute to this delay without any corrective measure exercised by the court.

9.4 In the next part, we have observed the average frequency of functionalities to understand its recurrence pattern in one case. Following tables and figures summarize the average number of times and percentage contribution to each functionality.

Table 4: Number of occurrences of delay types in cases observed

Type of Functionality	Average Number of Times
Court functioning	17.85
Awaiting order/instructions from High Court	14.25
Request by defendant	7.73
Request by plaintiff	6.80
Adjourned for passing judgment	4.50
Presiding officer busy	4.08
Presiding officer on transfer order	3.19
Presiding officer on leave	3.14
Scheduling error/holiday declared/strike	2.40
Both parties absent	2.29
Defendant absent	1.83
Plaintiff absent	1.57

Table 5: Percentage of occurrences of delay types in cases observed

Type of Functionality	Average Percentage of Times
Court functioning	41%
Request by plaintiff	15%
Request by defendant	14%
Presiding officer busy	7%
Presiding officer on leave	6%
Scheduling error/holiday declared/strike	6%
Presiding officer on transfer order	4%
Awaiting order/instructions from High Court	3%
Adjourned for passing judgment	2%
Defendant absent	1%
Plaintiff absent	1%
Both parties absent	1%

9.5 From the tables above, it can be concluded that maximum number of postponement requests come from Court Functioning followed by requests from litigants. Awaiting instruction from upper court is also a commonly cited reason as it is next to Court Functioning in terms of average frequency. Similar information is illustrated in the pareto diagrams.

Figure 4: Frequency distribution of functionalities

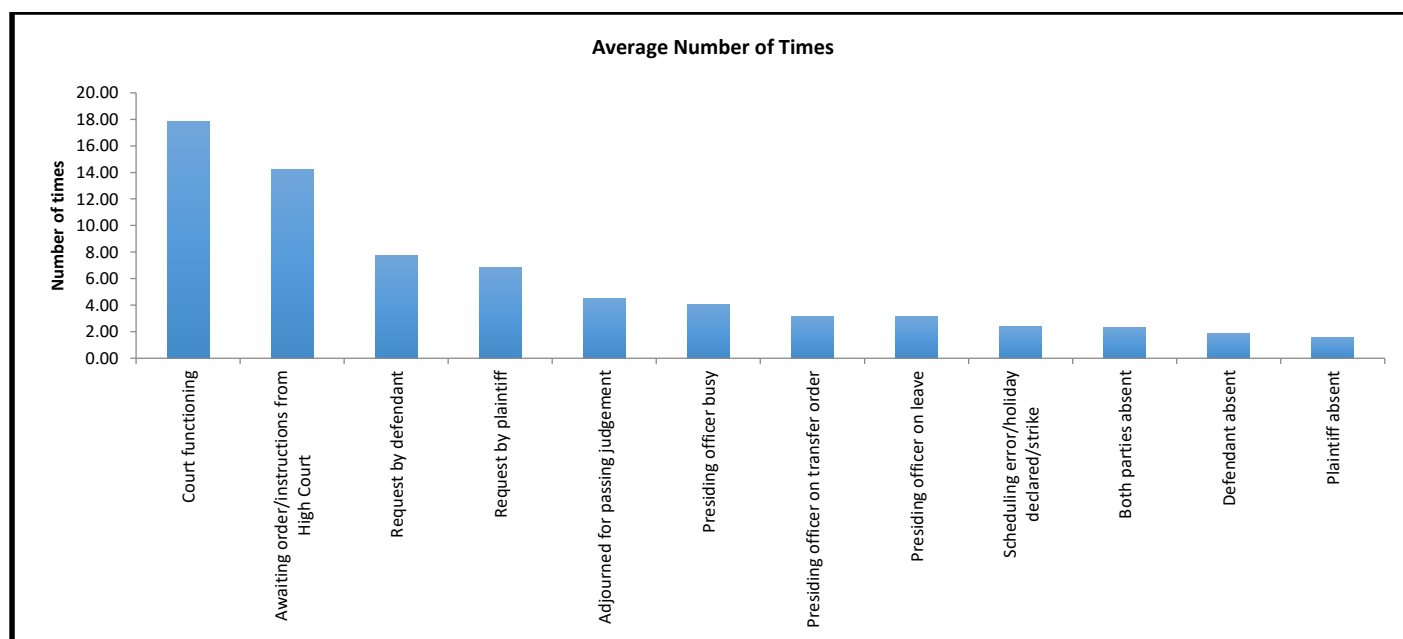
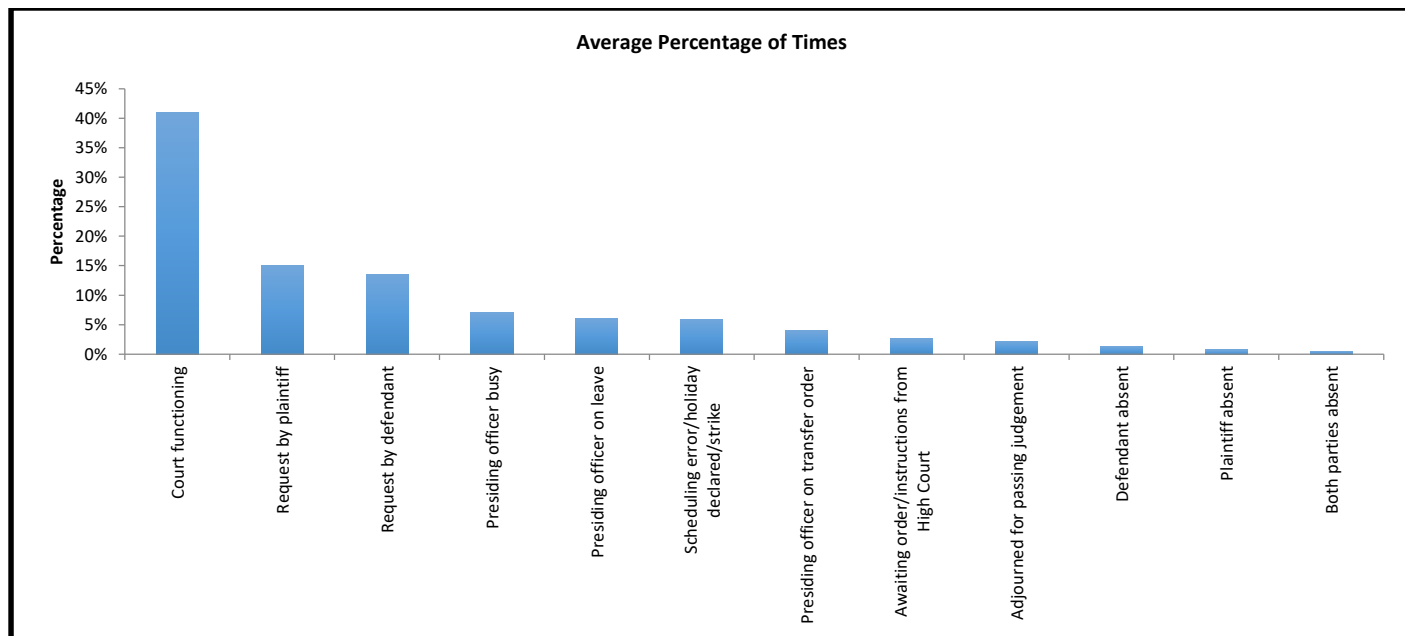


Figure 5: Percentage frequency distribution of functionalities



9.6 We further analyse the durations by segregating those in terms of regular duration and delay (in weeks). From Table 6, we found that the average regular duration is 60 weeks with a standard deviation of 50. If we take out the outliers by excluding the cases with more than 100 weeks of duration, average duration reduces to 43 weeks with standard deviation of 23. From those data points, we can infer that the regular duration of a case will vary from 40-60 weeks with 70% of the cases will be closed within a deviation of 20 weeks.

When we observe the delay duration in Table 7, we found that the average delay is 13 weeks with the top three delay types as: i) presiding officer on leave, ii) Awaiting order/instructions from High Court and iii) Scheduling error/holiday declared/strike. Top three delay types also constitute 75% of the delay duration.

Table 6: Regular case duration (in weeks) for the cases analysed

Case No.	Court functioning	Request by defendant	Request by plaintiff	Adjourned for passing judgement	Presiding officer busy	Regular case duration (in weeks)
1	18	42	15			75
2	8	45	10			63
3	1	13	5		3	22
4	22	5	20		3	50
5	16		16	34	8	74
6	181	1	8		20	210
7	10	4	2		1	17
8	6	1	7		3	17
9	10	41	1		2	54
10	10	41	1		2	54
11	17	3	14	2		36
12	3		3			6
13	8			3	4	15
14	1	1	4			6
15	5	22	2			29
16	5		18	7		30
17	20		2		29	51
18	11	8	11		6	36
19	9	3	15			27
20	7	2	36		6	51
21	14	6	4			24
22	43	24	36		6	109
23	26				27	53
24	40					40
25	23				8	31
26	20					20
27	91				5	96
28	31				3	34
29	12					12
30	24	14	7		6	51
31	59	5	2	1		67
32	53	11	15	6	6	91
33	27	8	12		2	49
34	53	8			2	63
35	51	7	8		3	69
36	86		9		8	103
37	107	7	14		8	136
38	110	9	20	4		143
39	158	17	23	16	12	226

Table 7: Delay in case duration (in weeks) for the cases analysed

Case No.	Presiding officer on transfer order	Presiding officer on leave	Both parties absent	Defendant absent	Plaintiff absent	Awaiting order/instructions from High Court	Scheduling error/holiday declared/strike	Total
1	3	7	1	1			1	13
2		8					3	11
3		4		1			1	6
4		3	1					4
5	1	2						3
6	2			2		5		9
7		1	1		1	68	4	75
8		5					8	13
9		7					2	9
10		7					4	11
11		3					8	11
12								0
13		2					1	3
14							1	1
15	16	4						20
16	7						5	12
17	1				2		5	8
18	2	2				3		7
19	2						2	4
20		12		1			2	15
21	17						4	21
22	4	1					1	6
23	2	2		5	1		4	14
24	12	3					4	19
25	2	4		1			5	12
26				1	3		3	7
27		3	3				1	7
28		3				2	5	10
29		6					35	41
30	4	2		1				7
31				1		32		33
32			2				2	4
33			2		4		1	7
34		3					6	9
35		5		3				8
36	2	8			5		5	20
37	3	7		3			3	16
38	7	8					3	18
39		11	14	10	5		7	47

9.7 Guidelines on the case timeline from The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act 2015

The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act (hereinafter 'Act') 2015 was enacted to adjudicate on matters of commercial disputes of specified value and matters which are related or connected to that issue.

In addition constituting separate Commercial Courts and Commercial Divisions and Commercial Appellate Divisions, the Commercial Courts Act specifies strict timelines for conduct of cases to ensure the speedy resolution of commercial disputes. The provisions of the Code of Civil Procedure, 1908 applicable to commercial disputes stand amended (Schedule 7 to the Commercial Courts Act).

Table 8: Commercial Quote - Timeline

Stages	Timelines (Schedule)	Number of Days	Remarks
1.	Written statement by the Defendant	30 days from the date of receipt of the suit summons	Court can, on payment of cost, grant addition time upto 120 days from the date of receipt of the suit summons. Failure to do so will result in the Defendant forfeiting the right to file a written statement.
2.	Inspection of documents by either side:	30 days from the date of filing of the written statement or written statement to the counterclaim, whichever is later.	Court may upon application by either party extend the time limit for a further period of 30 days .
3.	Admission and denial of documents	15 days of completion of the inspection	
4.	Summary judgments and case management hearing	Trial and arguments must be completed within 6 months from the date of the first case management hearing	
5.	pronounce the Judgment	90 days of the conclusion of arguments by parties	By Commercial Court, Commercial Division, and Commercial Appellate Division
6.	Appeals before the Commercial Appellate Division	60 days from the date of the impugned judgment or order	
7.	Disposal of case Commercial Appellate Division	within 6 months from the date of filing the appeal	Will endeavor to dispose of such appeal
8.	Supreme Court of India	via Special Leave Petition	no time limit
	Total minimum time taken	30+30+15+180+90+60 = 405 days (without appeal) Plus appeal 180 = 585 days	Not including SLP

The timeline provided for the Commercial Courts could be suitably amended classifying the case based on its complexity and type. The provisions of the CPC 1908 could be suitably

amended. This amendment should however restrain the higher courts interference restricted to limited situations only.

A quick reference to **CPC Order XVII: Adjournments** also gives us the existing rules which is seldom reflected in practice:

“1. Court may grant time and adjourn hearing

*(1) The Court may, **if sufficient cause is shown**, at any stage of the suit grant time to the parties or to any of them, and may from time to time adjourn the hearing of the suit.*

*(2) Costs of adjournment- In every such case the Court shall fix a day for the further hearing of the suit and may make such order as it thinks fit with respect to the **costs occasioned by the adjournment**:*

Provided that,-

*(a) when the **hearing of the suit** has commenced, it shall be continued from **day-to-day** until all the witnesses in attendance have been examined, unless the Court finds that, for the **exceptional reasons to be recorded by it**, the adjournment of the hearing beyond the following day is necessary.*

*(b) **no adjournment shall be granted at the request of a party, except where the circumstances are beyond the control of that party,***

*(c) **the fact that the pleader of a party is engaged in another Court, shall not be, a ground for adjournment,***

*(d) where the illness of a pleader or his inability to conduct the case for any reason, other than his being engaged in another Court, is put forward as a ground for adjournment, the **Court shall not grant the adjournment unless it is satisfied that the party applying for adjournment could not have engaged another pleader in time,***

(e) where a witness is present in Court but a party or his pleader is not present or the party or his pleader, though present in Court, is not ready to examine or cross-examine the witness, the Court may, if it thinks fit, record the statement of the witness and pass such orders as it thinks fit dispensing with the examination-in-chief or cross-examination of the witness, as the case may be, by the party or his pleader not present or not ready as aforesaid.

2. Procedure if parties fail to appear on day fixed

Where, on any day to which the hearing of the suit is adjourned, the parties or any of them fail to appear, the Court may proceed to dispose of the suit in one of the modes directed in that behalf by Order IX or make such other order as it thinks fit.”

9.8 Using the insights by studying the set of diverse cases, we proceed to the next step by interviewing litigants and lawyers with relevant questions. This helps us to take their views to understand the issues in detail.

10. Findings from the Stakeholders' Survey

10.1 We have used two separate questionnaires for litigants and lawyers with questions focused on the issues identified after case research. Overall 23 respondents replied to the questionnaire. We have approached significant number of litigants and lawyers but most of them were hesitant to respond because of the nature of questionnaire and for confidentiality reasons. Detailed numbered questionnaires are provided in the appendix.

11. Findings from the Litigants survey

11.1 In India, perceived judicial reluctance may lead to the belief among the litigants that "Law is nothing but the convenience of the powerful" (comment as received from one of litigants). Another litigant complained that law should be equal for all sections of the society, yet it runs parallel between two different sections of the society – one for the rich and the resourceful and the other for the small men with no resources at all. This comments received are in line with the objective of this project to eradicate the delay in justice delivery process as "justice delayed is justice denied". Large backlog of cases have not only resulted in justice delay but a long pending resolution of such cases have been creating frustration within the society as well causing inevitable abuse and lack of trust on the system and policymaking at large.

The Basic Profile of the litigants:

11.2 The survey was conducted among 15 nos. of litigants who are facing delay in court proceedings in South 24 Parganas district of West Bengal. The distinctive characteristics of the litigants showed that they

- had a dominant gender profile (87% male)
- were more likely to be aged with 35-44 and 55-64 years (aggregate 54%)
- were dominated by relationship status as married (60%)
- were more likely to be graduate (46%)
- had a dominated primary language as Bengali (80%) followed by Hindi (20%)
- had a dominated language used as English (80%) followed by Hindi (20%)
- were more likely to be professionals (33%) and service holders (27%) by profession
- predominantly literate with 87% of the respondents having a bachelor's degree or higher

11.3 The graphical illustration as well as histogram representation of the above information is given below:

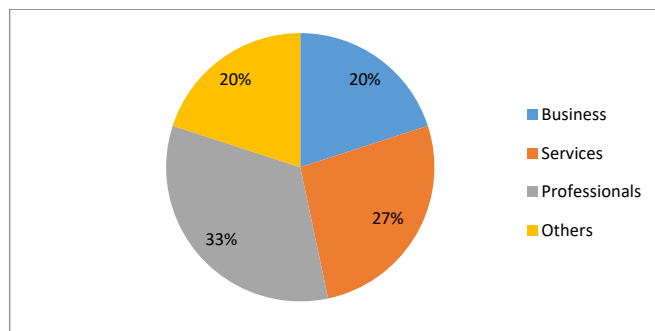
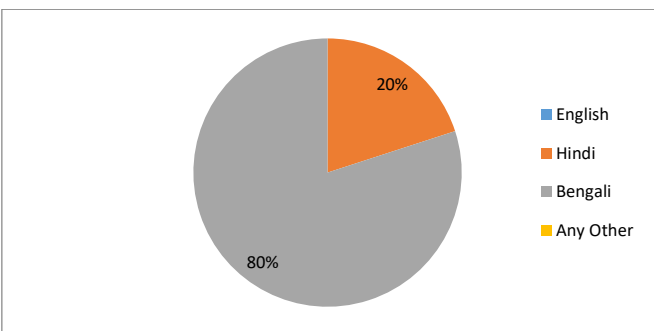
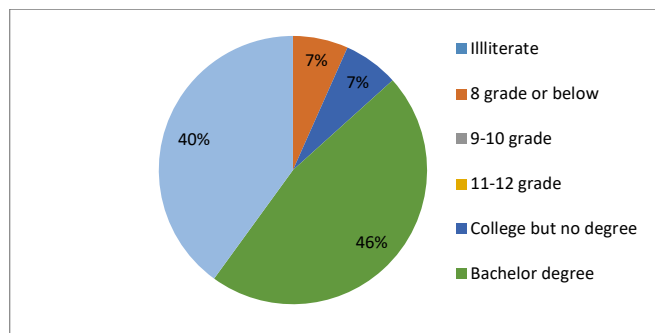
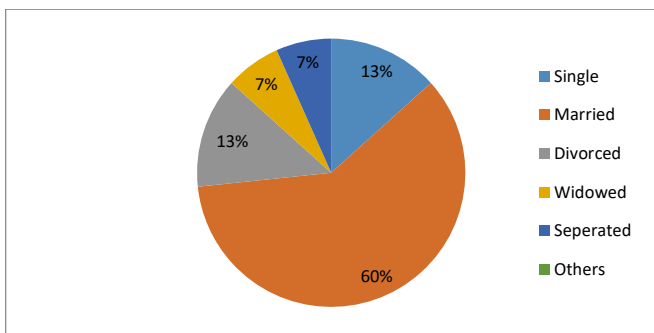
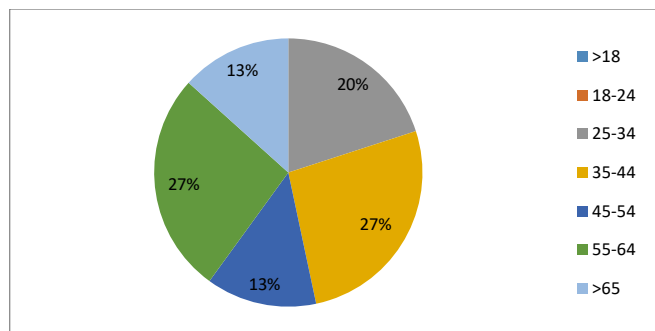
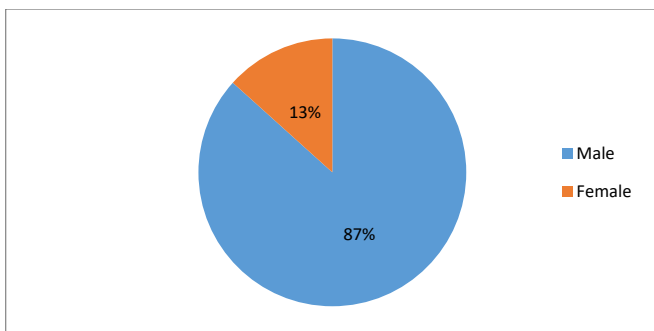
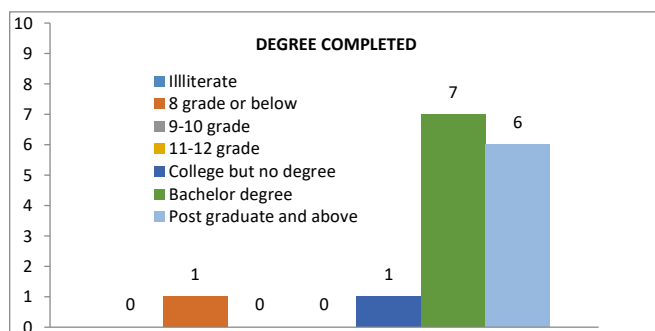
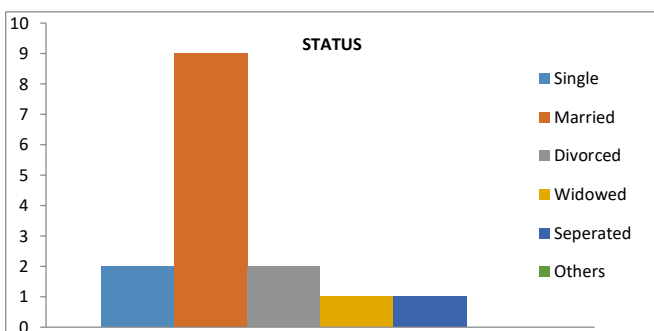
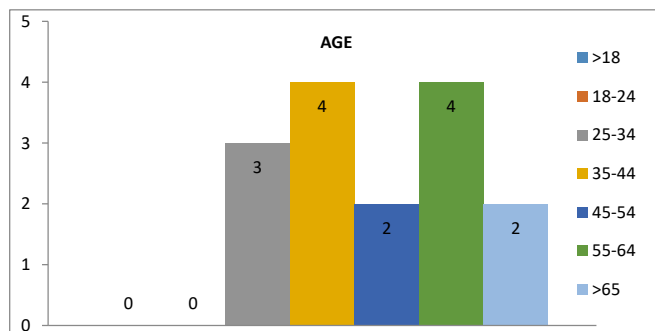
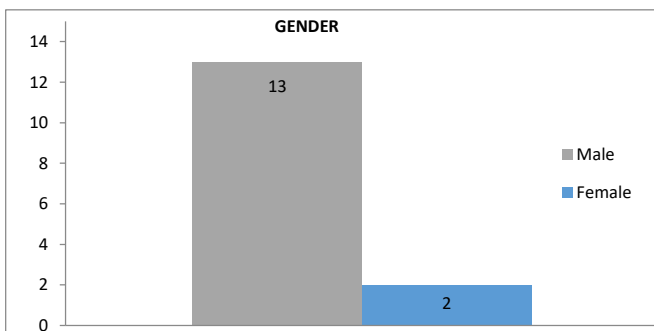


Figure 6: Demographic, academic and professional profile of respondents in litigant survey (pie chart)



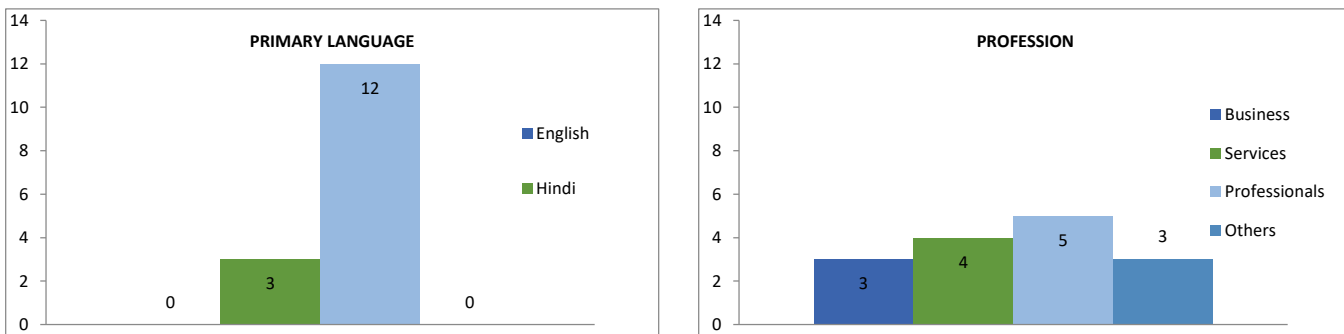
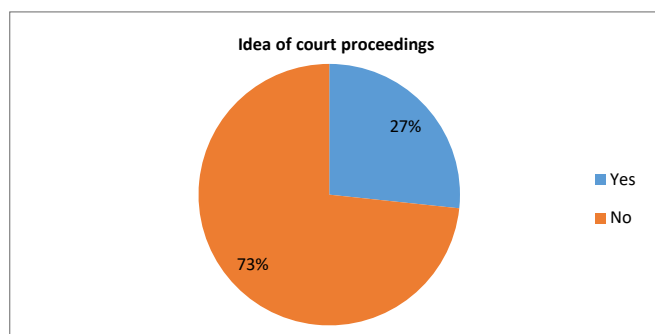
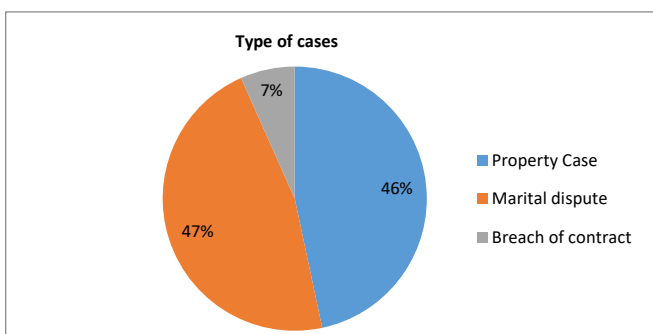
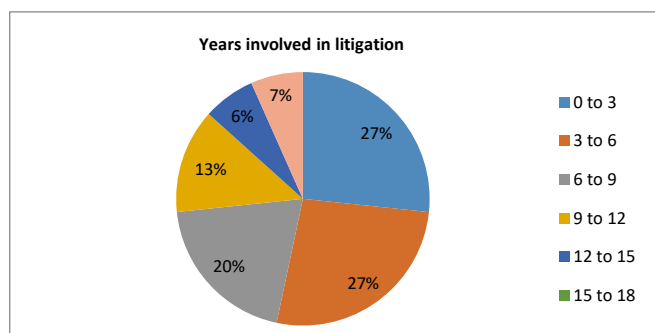
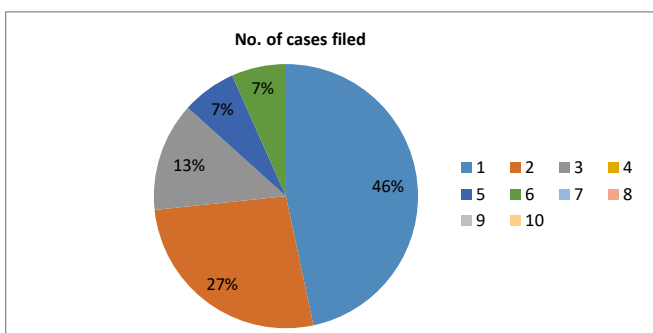


Figure 7: Demographic, academic and professional profile of respondents in litigant survey (bar chart)

Observations related to Court Specific Questionnaire

11.4 From the survey it was found that the one person filed six cases but have overall representation of only 7% among the litigants. The major representation is 46% for which the total number of case filed is only one. It is also revealed that 27% of the litigants involved for 0-3 and 3-6 years in the recent case (as defendant). The survey also showed that equal percentage (46.5%) of litigants involved in disputes related to property and marital. 73% of the litigants do not have any idea about the court proceedings. 60% of the litigants are in the hearing & evidence stage however only 13% is in the judgment stage in the court process. Prior to filing the case, 40% of the litigants is unknown or having no knowledge about the court proceedings prior to filing the case. 87% of litigants was handling the court proceedings for the first time in their life however 73% did not know where to find help or resources prior to file case or document. 60% of the litigants are facing financial difficulty in handling the court proceedings. The graphical illustration as well as histogram representation of the above information is given below:



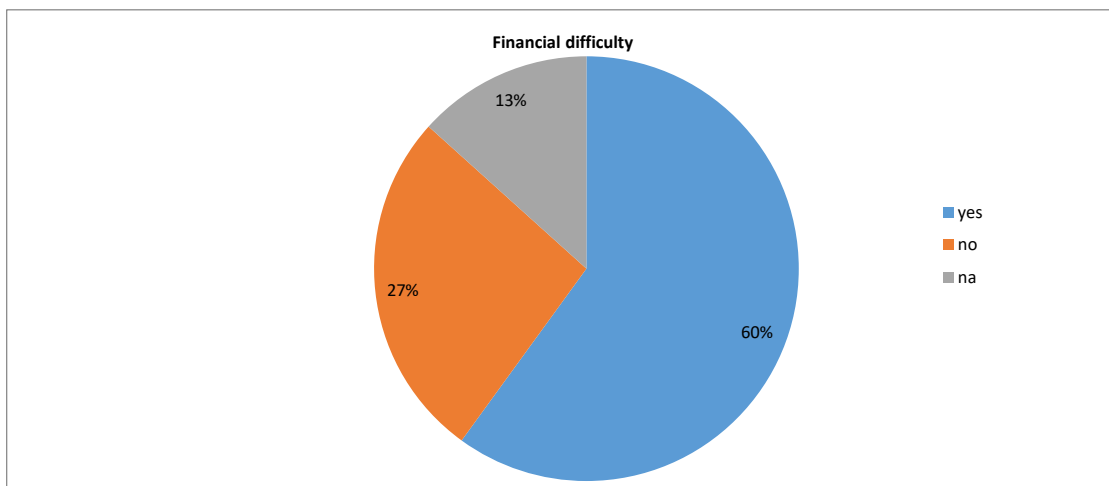
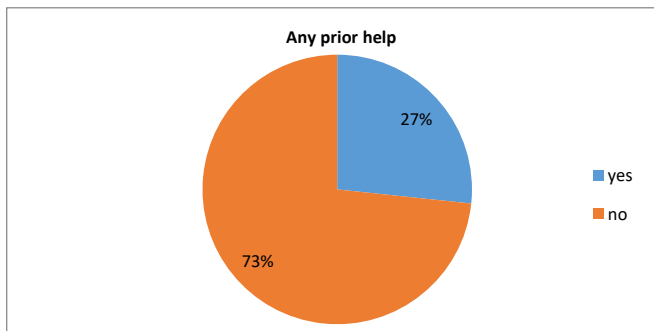
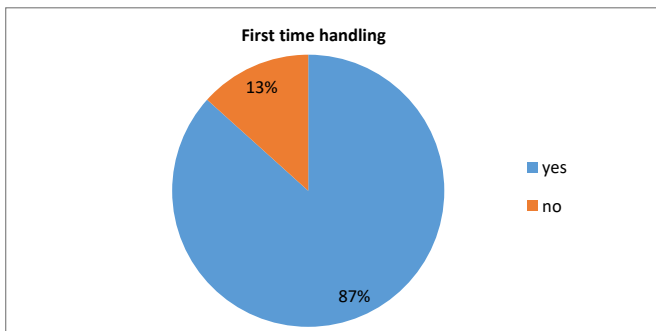
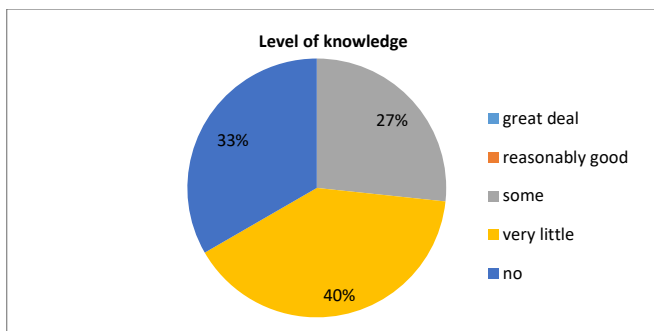
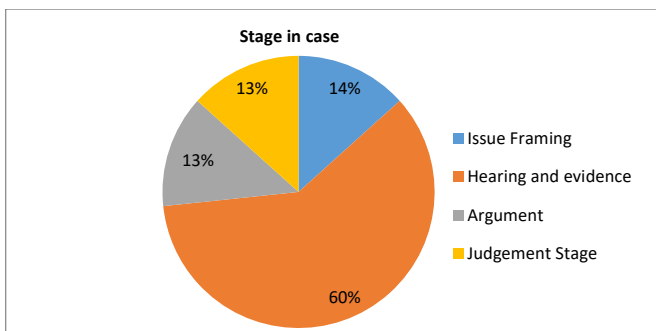
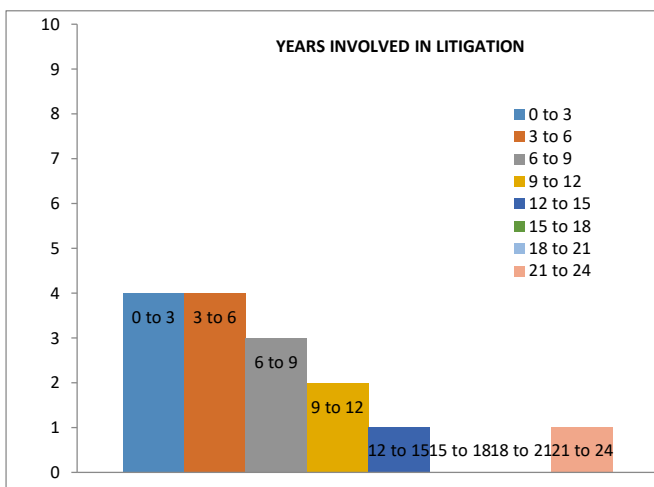
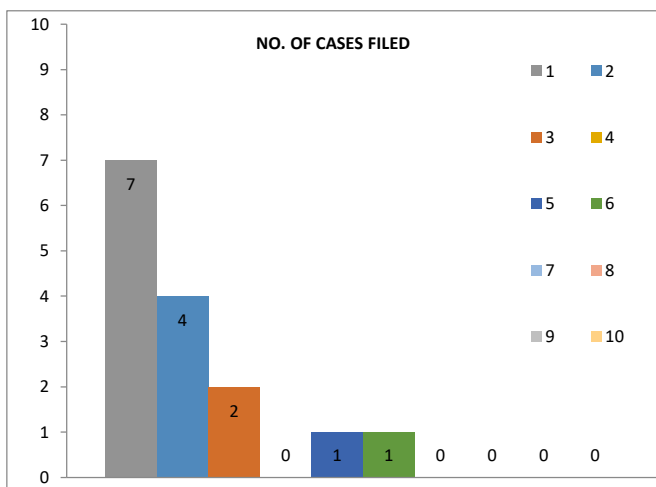


Figure 8: Summary of findings related to litigants and court cases (Pie Chart)



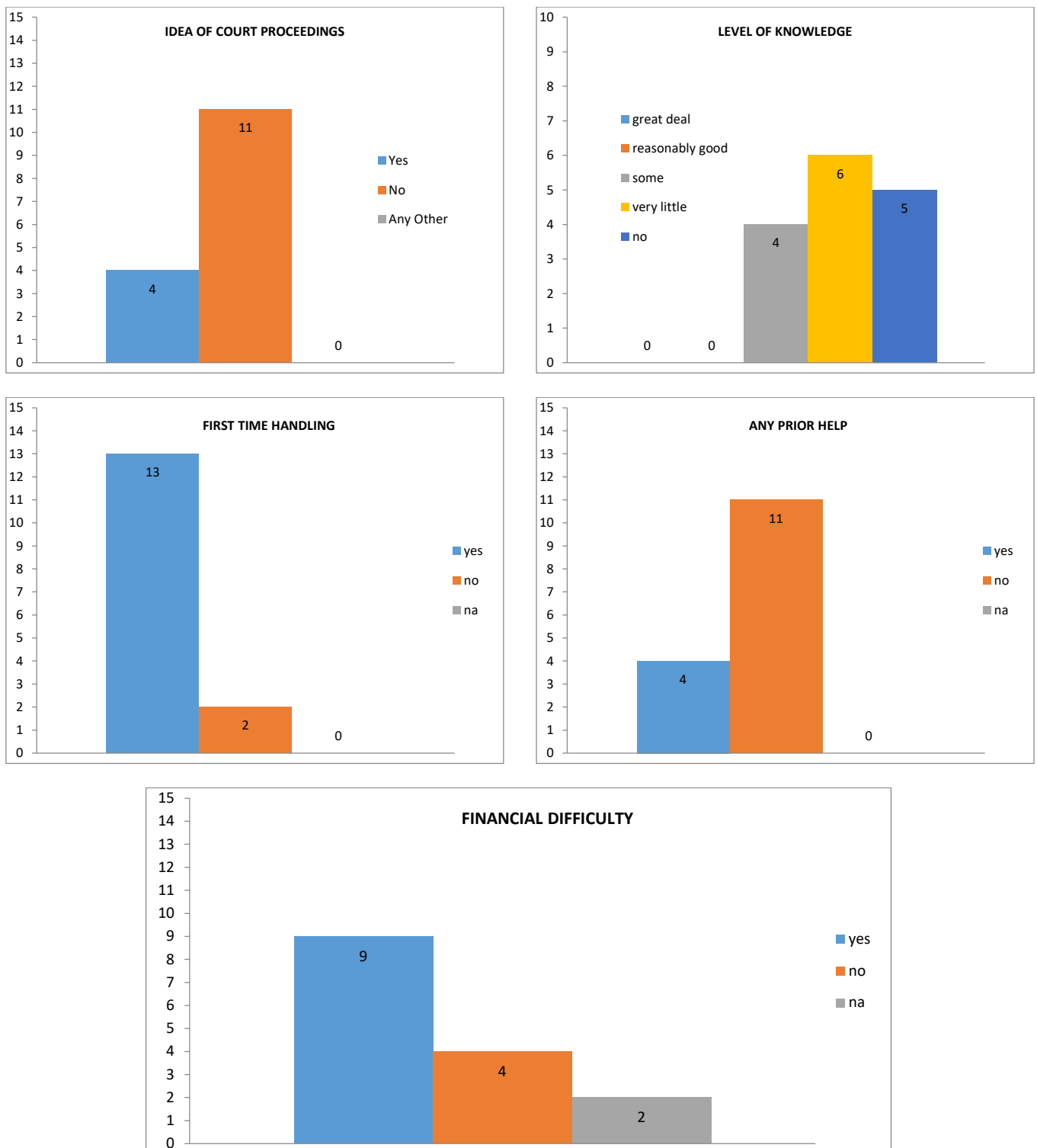


Figure 9: Summary of findings related to litigants and court cases (Bar Chart)

11.5 The most demanded specific general information and resources by the litigants is the roles and procedures in the court room followed by online services, place to get help in the courthouse, how to dress and behave in the courtroom and fees and costs. There is a mix demand for information about the directions to the courthouse, help available for English illiterate and help of other groups. The graphical illustration as well as histogram representation of the above information is given below:

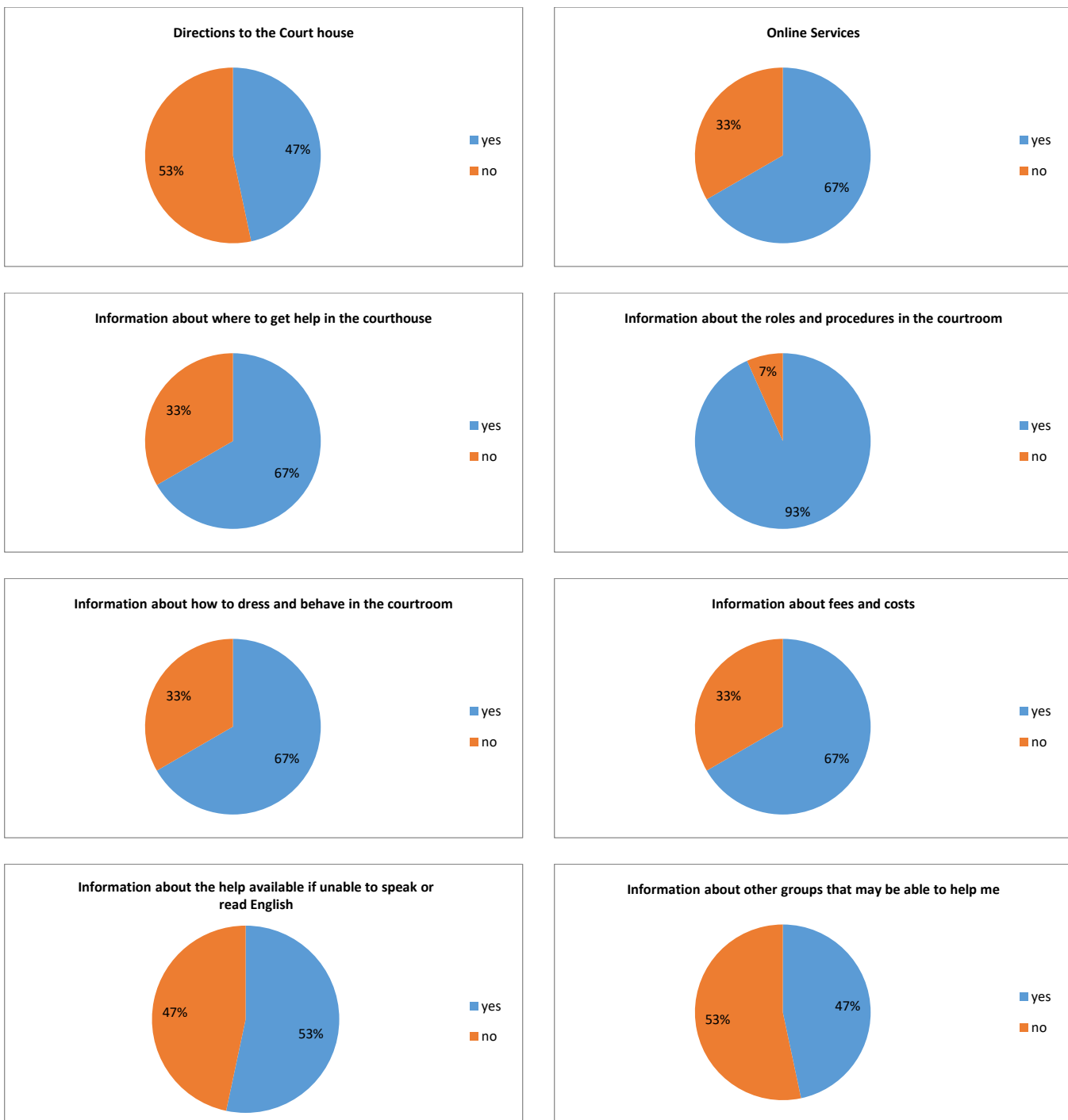


Figure 10: Percentage segregation of litigants with their preferences, knowledge level and court information

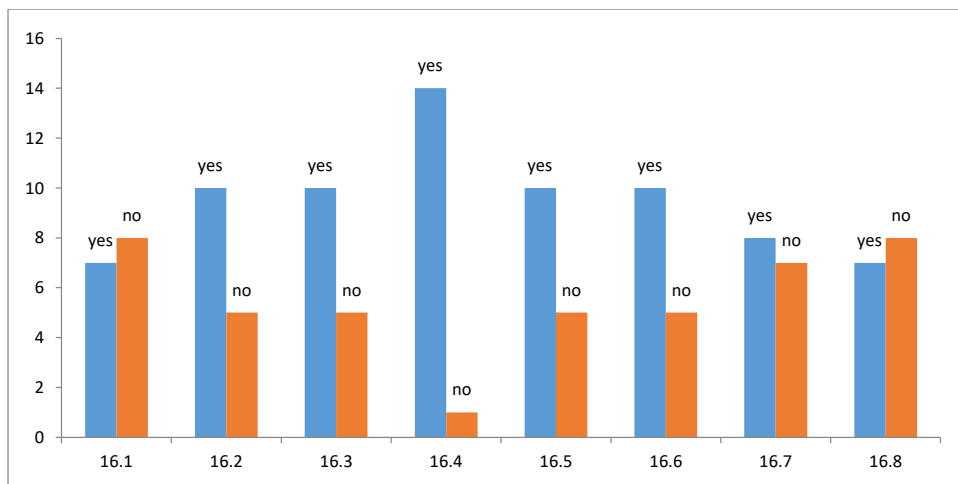


Figure 11: Responses of the respondents related to court information required

11.6 The most demanded specific forms/documents services by the litigants was help to filling out the forms followed by the notary services and easy access to a repository of forms that need for case. The graphical illustration as well as histogram representation of the above information is given below:

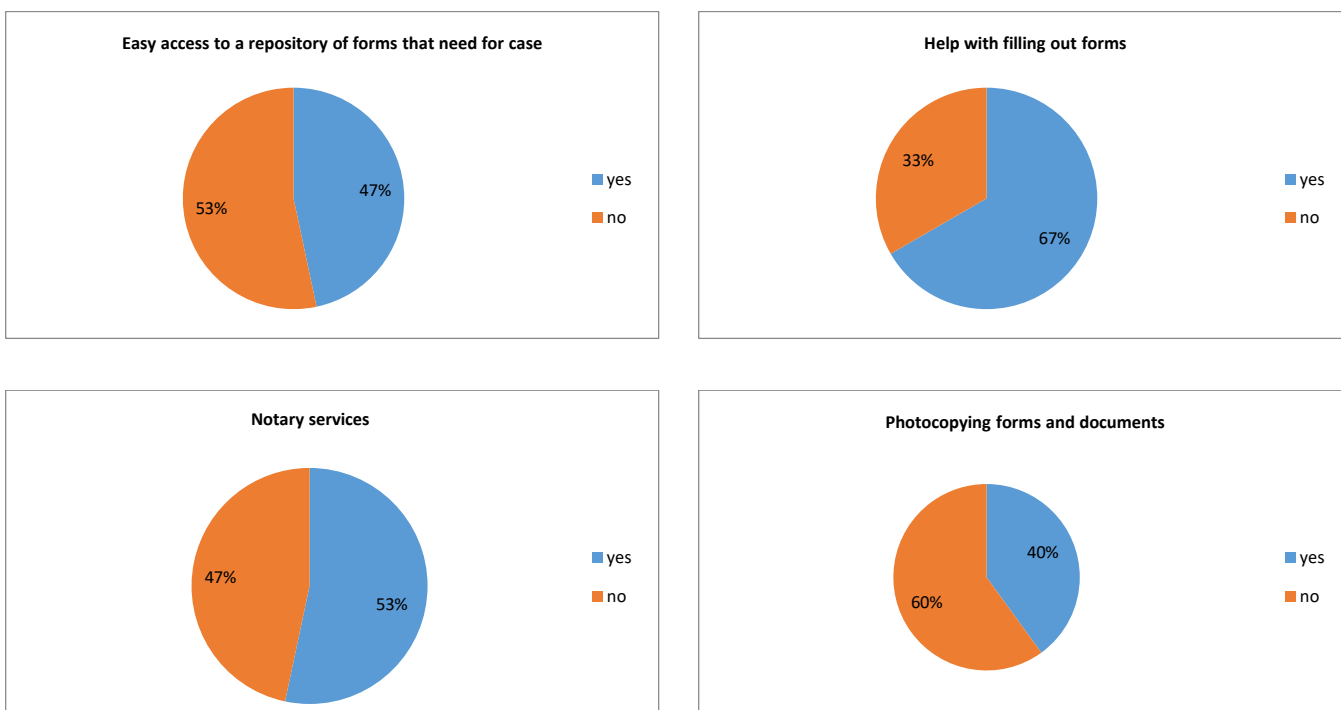


Figure 12: Percentage of responses with litigants asking for secondary services (as asked in litigant questionnaire number 16)

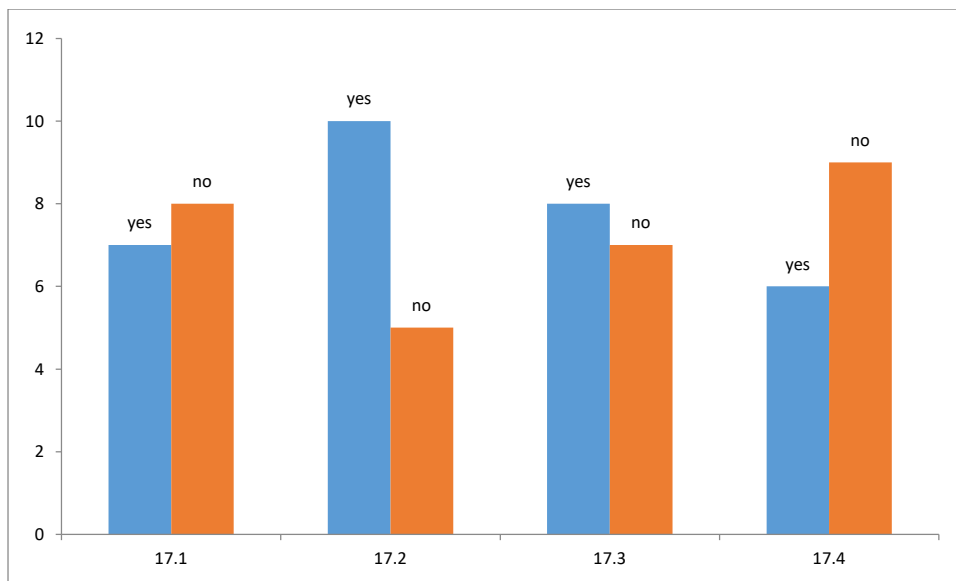
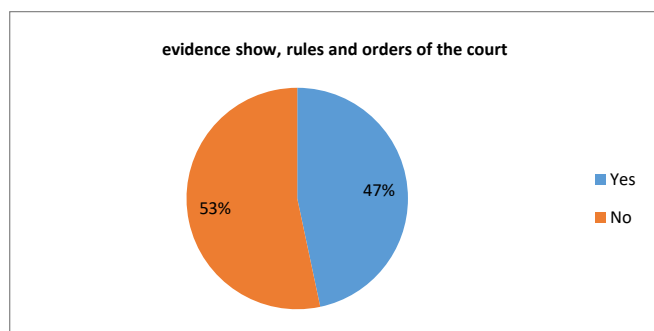
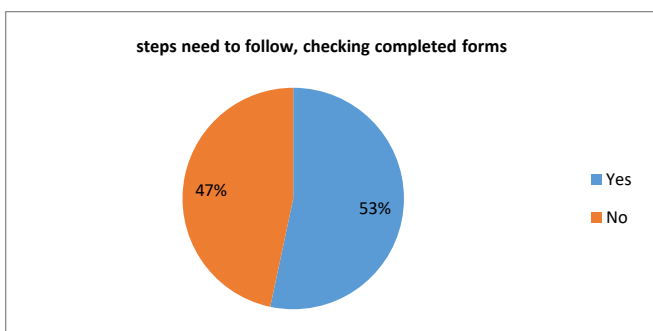
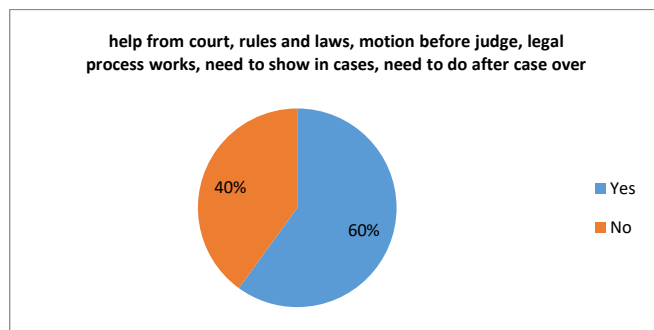
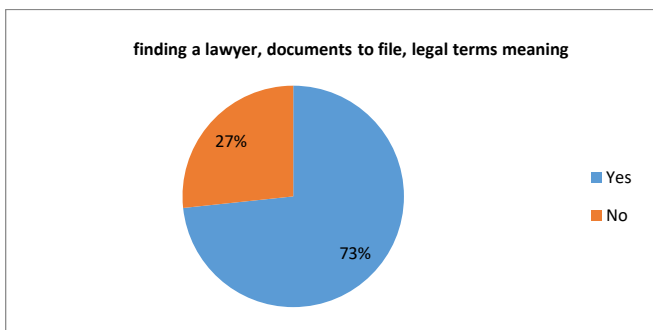


Figure 13: Percentage of responses with litigants asking for specific services (as asked in litigant questionnaire number 17)

11.7 The specific legal services or resources demanded by 73% of litigants were how to find a lawyer and meaning of legal terms. 60% of the litigants demanded for what kind of help can get from the court for in general case; to find the rules or laws that might apply for individual cases; how to set a motion before the judge; the legal process works; need to show in individual cases and thing to do after the case is over. The graphical illustration as well as histogram representation of the above information is given below:



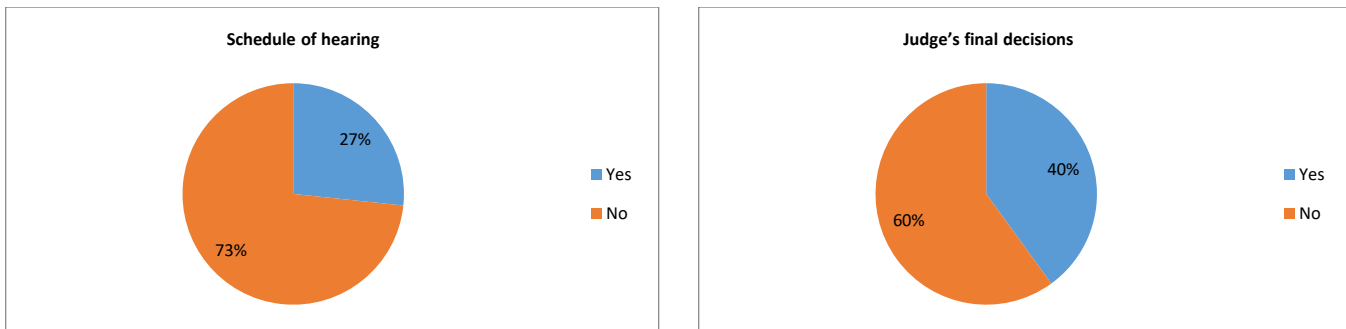


Figure 14: Percentage of litigant responses seeking court specific information

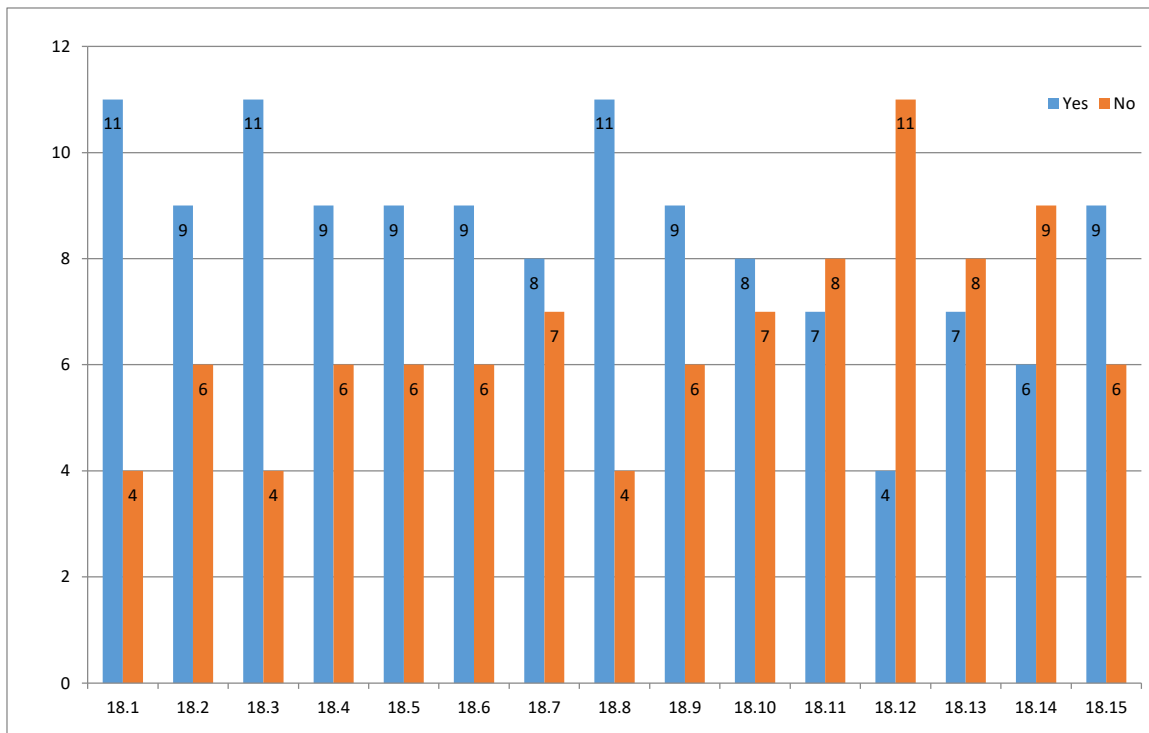
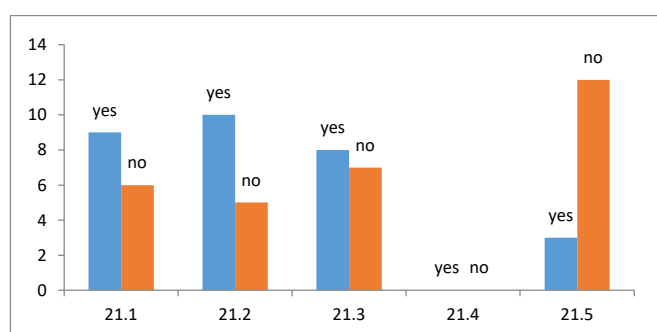
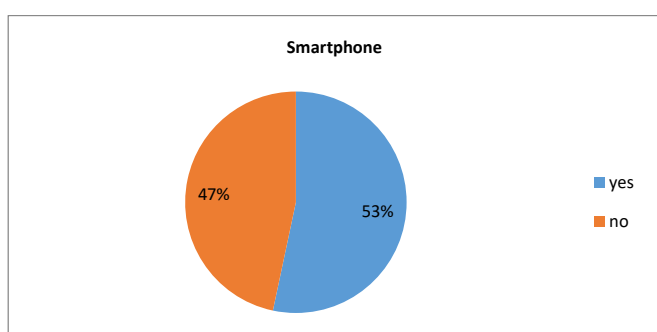
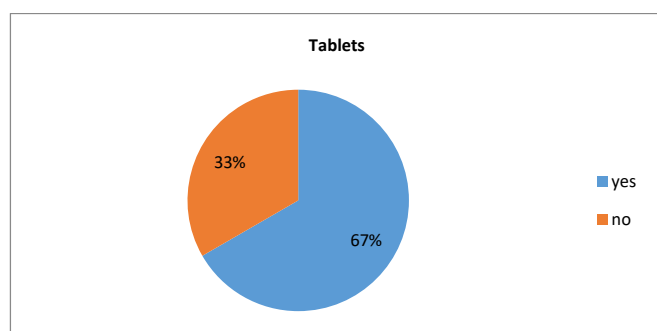
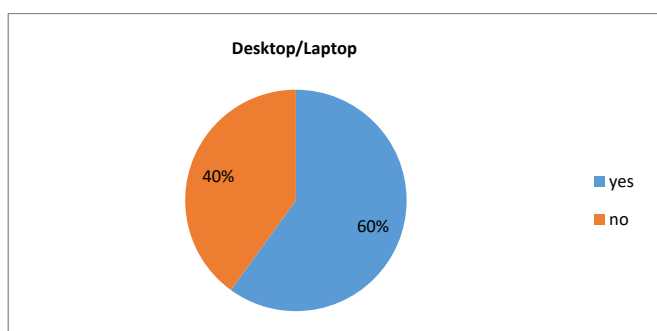
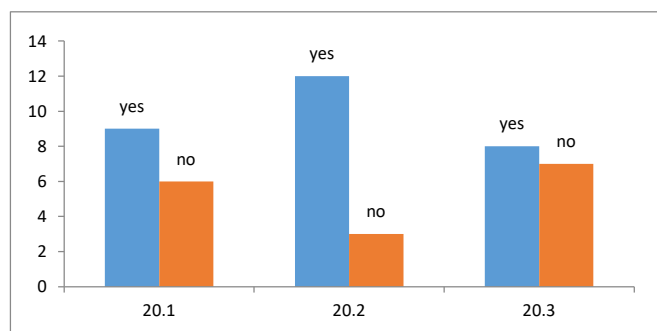
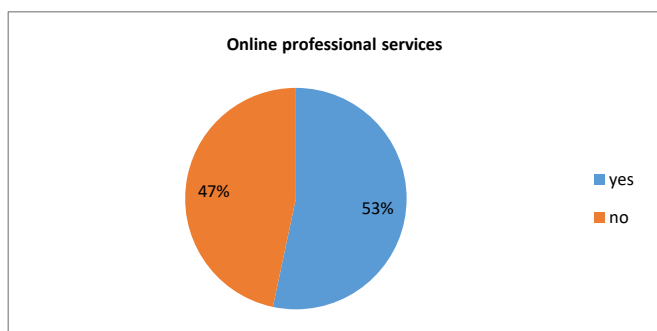
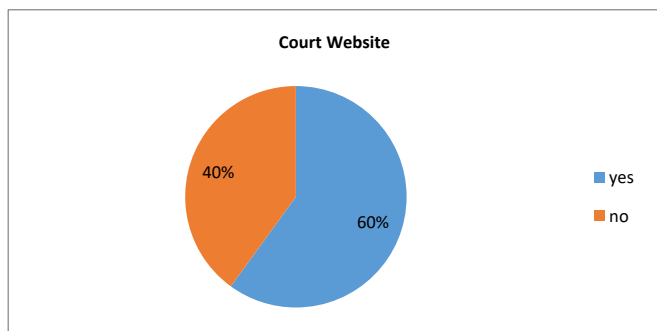
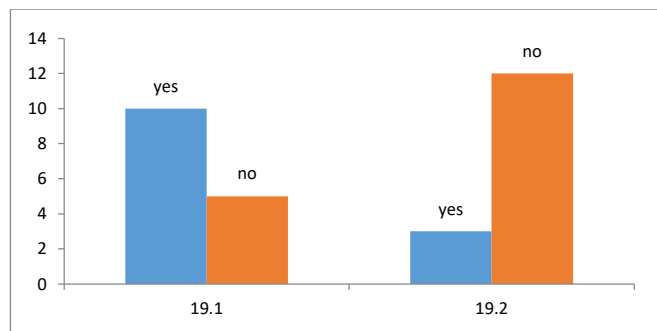
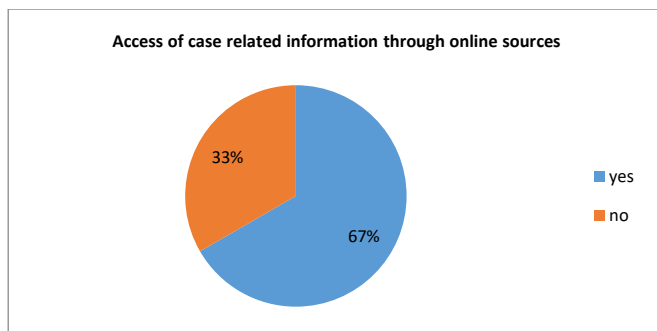


Figure 15: Number of litigant responses seeking specific legal services

11.8 Findings suggest that 67% of the litigants are able to access any case related information through online services, for which 60% use the court website, 80% use other legal service website and 53% use online professional services. Findings also suggest that 60% of the litigants are comfortable with Desktop/laptop, 67% with Tablets and 53% with Smartphone as electronic gadgets to avail the online services. 80% of the litigants agreed to use a specific website that would ask certain question about legal issues and then direct to legal and non-legal resources in the area that may help. The graphical illustration as well as histogram representation of the above information is given below:



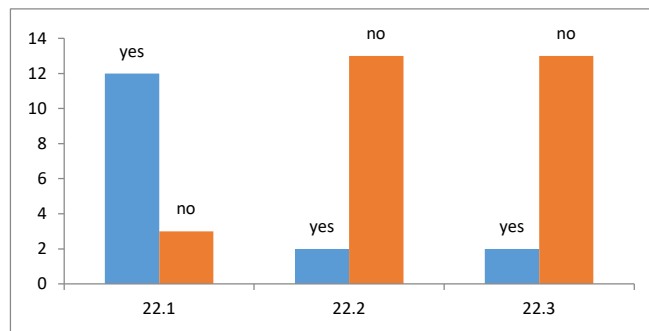
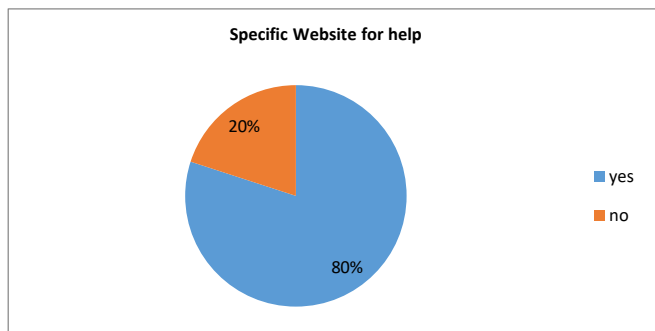
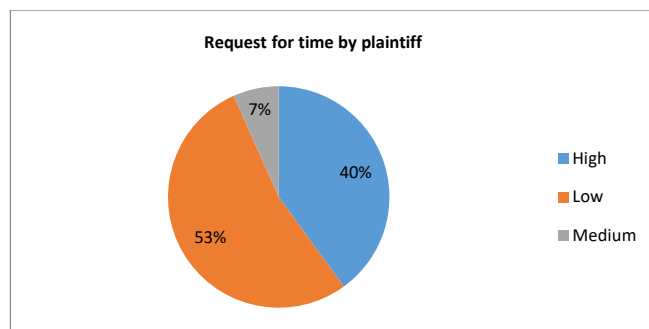
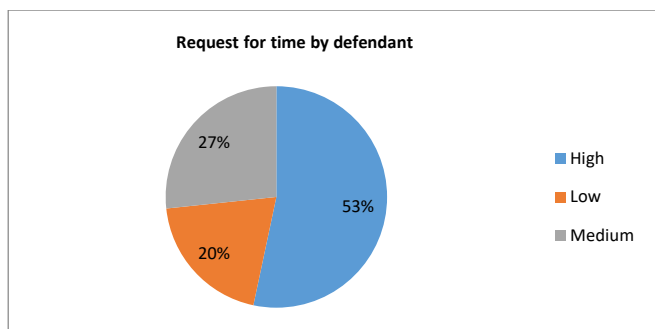
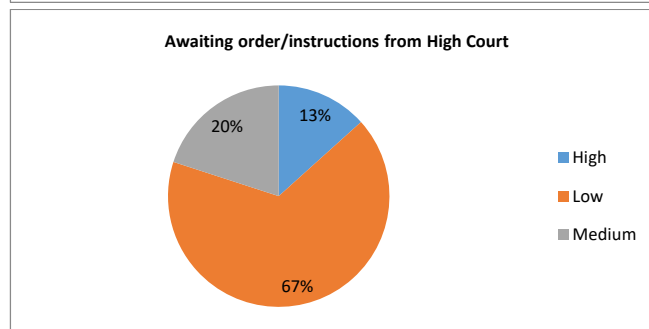
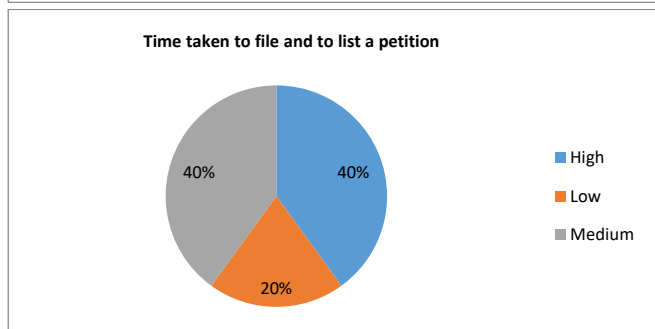
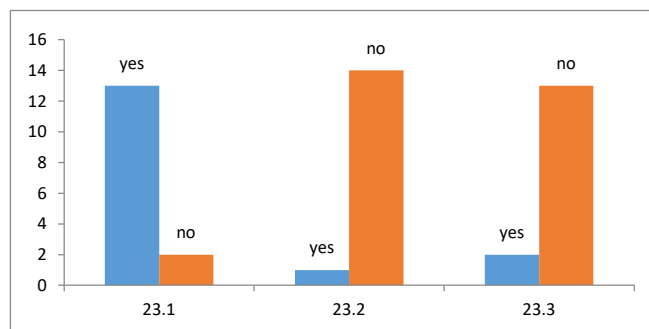
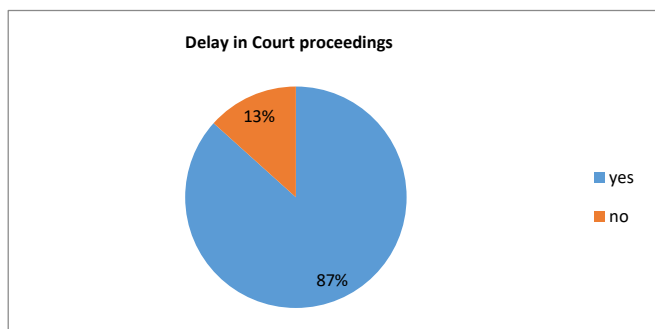
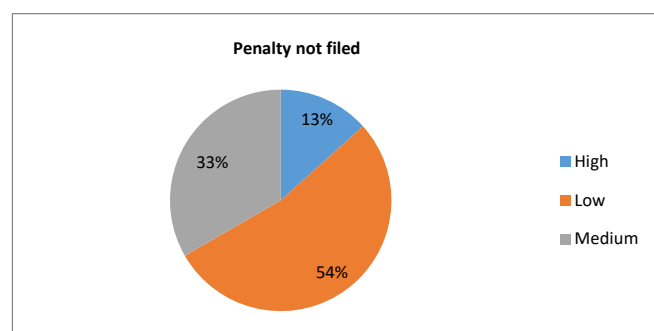
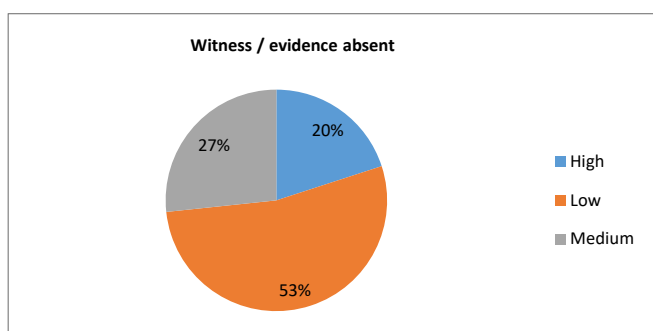
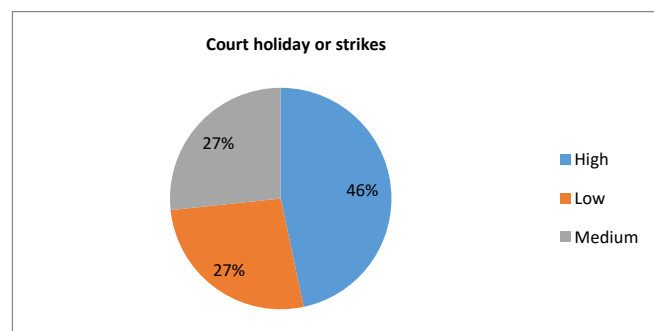
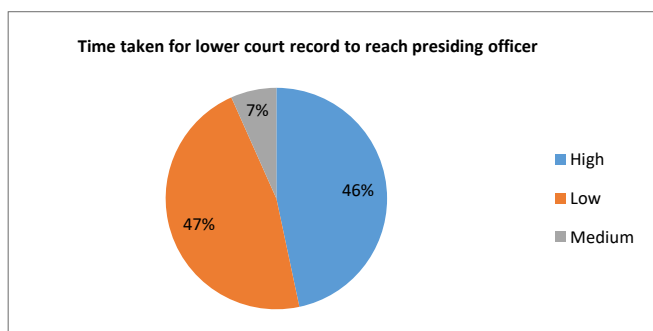
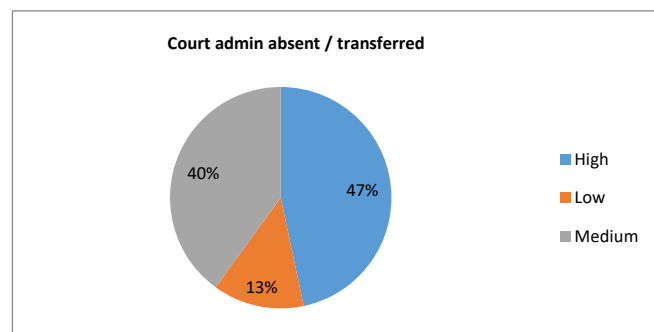
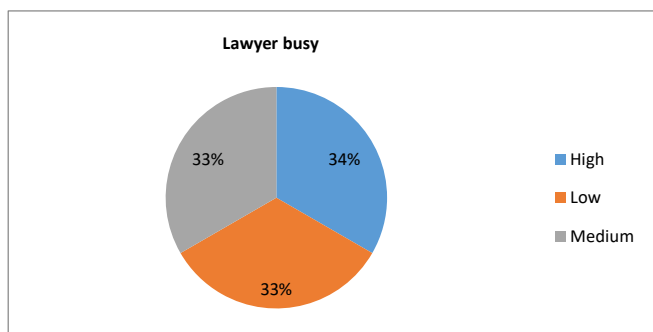
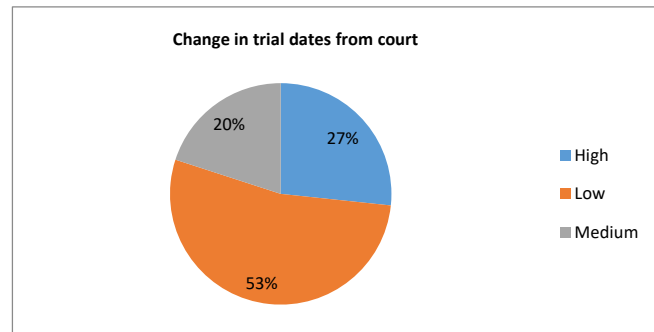
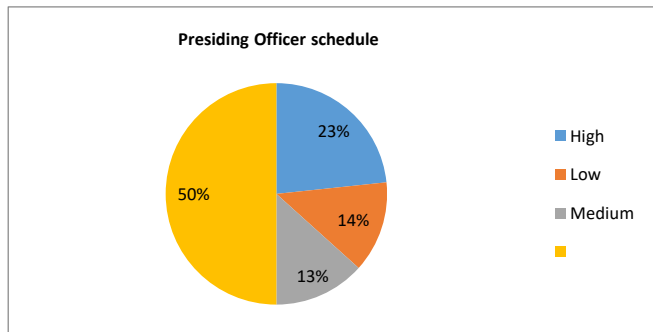


Figure 16: Candidate responses to the online services offered related to the court services

Observations related to Court Process

11.9 87% of the litigants agreed that there is a delay in court proceedings. The major source of court delay where severity is very high is found because of ‘request for time’ by defendant and other petitions pending to be heard. Awaiting order or instructions from High Court is another source of court delay but severity in this case is low as found. However, only 40% of the litigants file an appeal to High Court. The graphical illustration as well as histogram representation of the above information is given below:





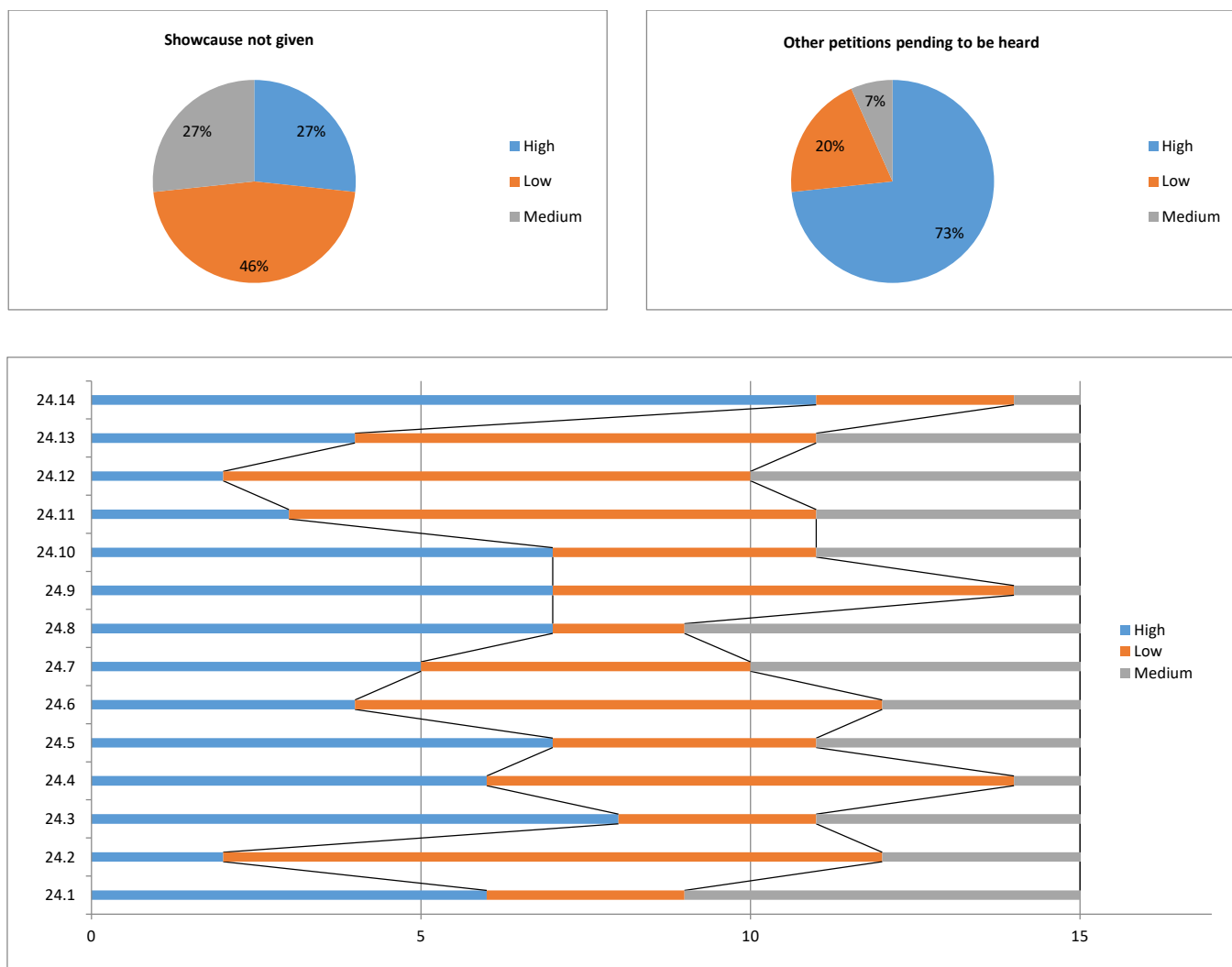


Figure 17: Number of litigant responses to various court performance parameters (refer litigant questionnaire for detailed questions)

11.10 The last sub-figure in Figure 17: Number of litigant responses to various court performance parameters (refer litigant questionnaire for detailed questions) summarizes the delay types as perceived by the litigants.

Reasons for adjournments

11.11 The primary reason stated by most litigants is the absence of judges in most cases. Either they are busy, on leave or being transferred. In such cases the litigant is given another date. Sometimes the litigant is not able to be present on most dates, the lawyers are found to use this lacunae of the system as one frequent reason for the adjournment. Apart from these causal reasons, it has been noted by some litigants that the judge, even being present in the court has to give another date for hearing or for disposal of petition. The reasons are no adverse order, but lawyer being busy because he has other case in other courts, hearing of one particular case has taken more time than usual so no time is left for the hearing of other cases, etc.

- Sometimes the pre- announced dates would again undergo changes because of the excuses given by the other side or opposition party. Usually the reasons stated are that

the senior is absent, the client couldn't be present for the hearing because he stays out of time, some annexures need to be attached, there are smaller petitions pending that needs to be disposed off, etc.

- Multiple cases are filed by the same person, record from the previous cases need to be annexed filing of same cases in the higher court for revision are also reasons that delay the initial / main case to a great extent. In some cases it takes years for the previous records to be retrieved from the lower court record room because they are not indexed and maintained properly. Policymaking has also led to the growth of cases, thus filing of multiple cases delay the process which usually leads to compromise by both parties. Thus, no justice is received by both the parties and the frustration due to judicial delay ask the parties to settle "out of the court". But many a times there is no compromise, hence the lawsuit lingers.
- At times delay is also from the litigant's part because there might be some latent /hidden benefit that has led to filing of the cases. Thus they file cases to drag them.
- Since the lawyers are also colleague cum friends, sometimes they plan and take steps accordingly without the conscious agreement or knowledge of the litigant.
- Court holidays have also been considered as a nuisance by all the litigants because they end up getting 5- 6 dates in a year at most which is one of the lingering causes for the pendency of the cases. In lower courts a total of 220 working days with huge backlog of cases has been creating frustration and disappointments across all sections of the society.

11.12 Thus it is important to understand that there is a need for high level of contribution from the Government to improvise on the systems of judiciary. More commitment, improved and well implemented policies as well as less political biases would definitely eradicate the problem of neglect that litigants are complaining in the hands of a system. Based on litigant's responses, primary recommendation involves to eradicate the non-value added activity by developing automation opportunities with the following details:

- Develop online support systems with a focus on following objectives:
 - Create a repository of structured institutions that offer value added services to the litigants with reasonable cost. It may follow marketplace model with customer reviews, etc.
 - Provide an access of basic forms online.
 - Develop an automated translation service from English to native language and vice-versa.
 - Upload videos with a detailed walk-through of how to fill up basic forms.
 - Standardize the notary services to facilitate litigants by saving their time and money.
 - Create a repository of legal terms and their meaning.
 - Develop a process flow of court proceedings throughout the lifecycle of a case and publish it online so that litigants are well aware of the processes involved.

- Photocopying requirements of many documents should be reviewed as the whole system is getting digitized.
- Process followed to decide the hearing dates should be reviewed and an automated process should be developed. A policy level discussion may follow to avoid the delay.

11.13 Automation with online access may be well accepted by the litigants as most of them (80%) are well-educated and access court websites very frequently. Initially the content may be developed in English and then multi-lingual website may be developed. Litigants primarily use tablets or mobile phones to access those websites and the pages should be user friendly from tablet or mobile phone apart from desktops. Court may also work on delivering certain regular formalities over online platform of communication, i.e. WebEx etc., instead of asking everyone to be physically present to reduce effort and time of litigants. Along with automation, some process level streamlining should be done to reduce time for filing a petition or to transfer a case from one court to another. The policy level implications should be understood before going for process changes.

12. Findings from the Lawyers survey

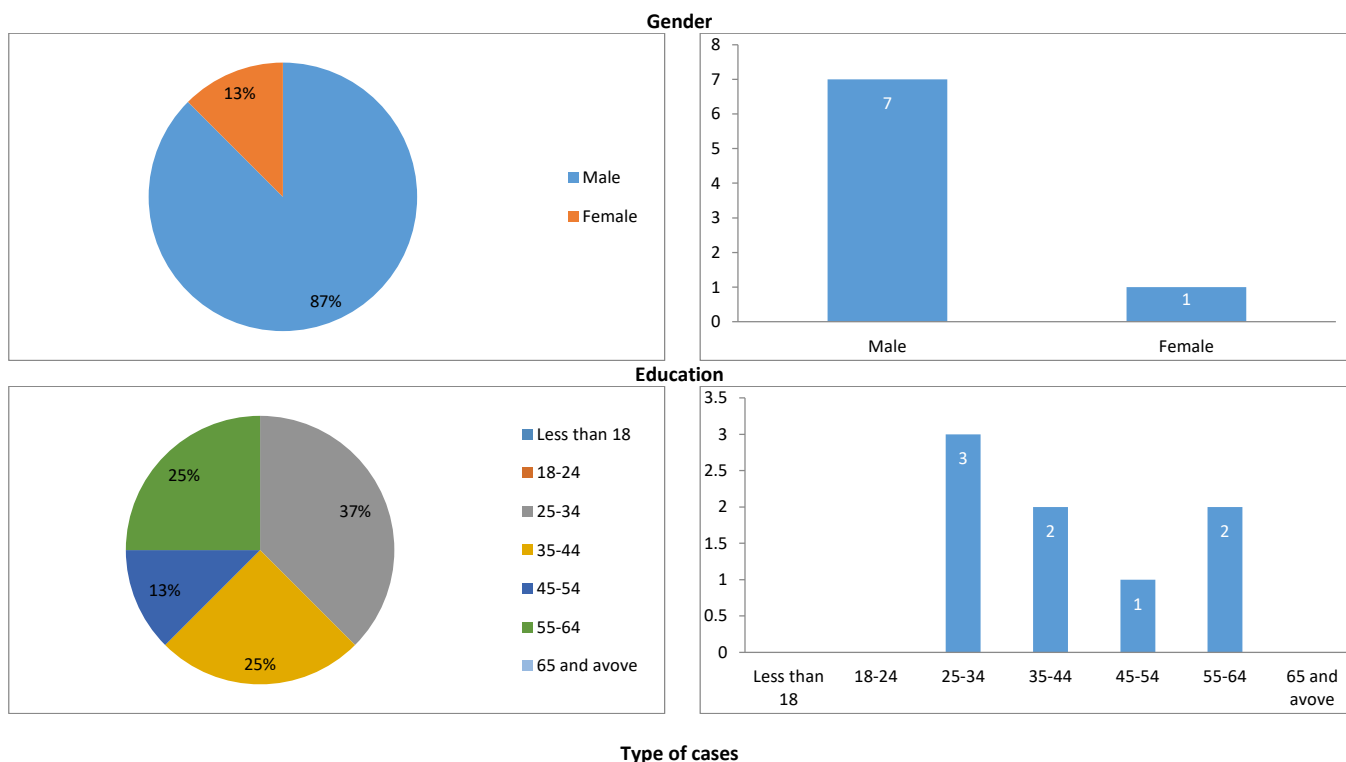
12.1 Indian legal system observes delays in the court cases that does affect the fairness and efficiency of the judicial system which in turn weakens the democracy, the rule of laws and enforcement of those laws. For decades, it has been seen that lawyers have primarily been the agents who link the requirements of the litigants to the suitability of the legal procedures being installed by the legal system. The problem of overload and arrears in each case may contribute to long delays primarily because the situations and contexts underlying a particular case needs to be dealt with precision of understanding them, before arriving at an authoritative and just decision. This is time consuming and expedition is never guaranteed.

The Basic Profile of the lawyer

12.2 The survey was conducted among 8 nos. of lawyers who are associated in court proceedings in South 24 Parganas district of West Bengal. The distinctive characteristics of the lawyers showed that they

- had a dominating gender profile (87% male)
- were more likely to be aged with 25-34 (37%)
- mostly handle all type of civil cases (39%)
- mostly practice in subordinate court (50%)

12.3 The graphical illustration as well as histogram representation of the above information is given below:



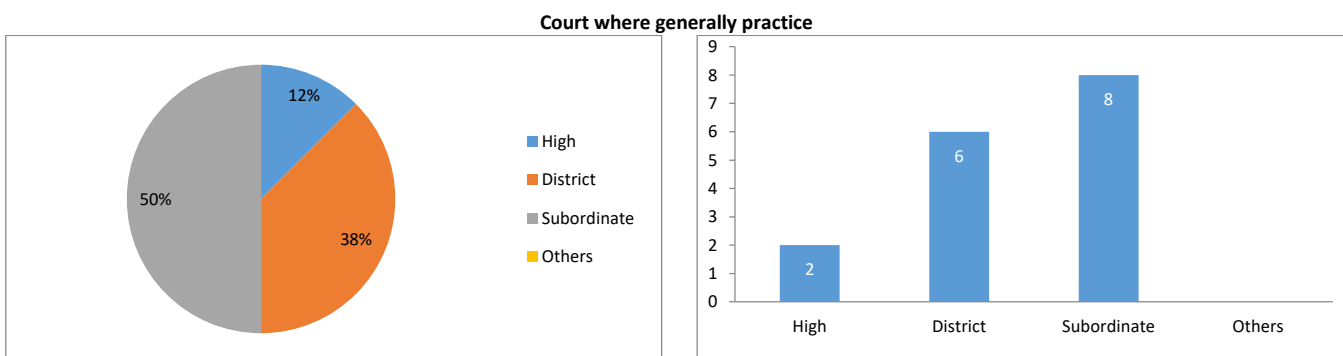
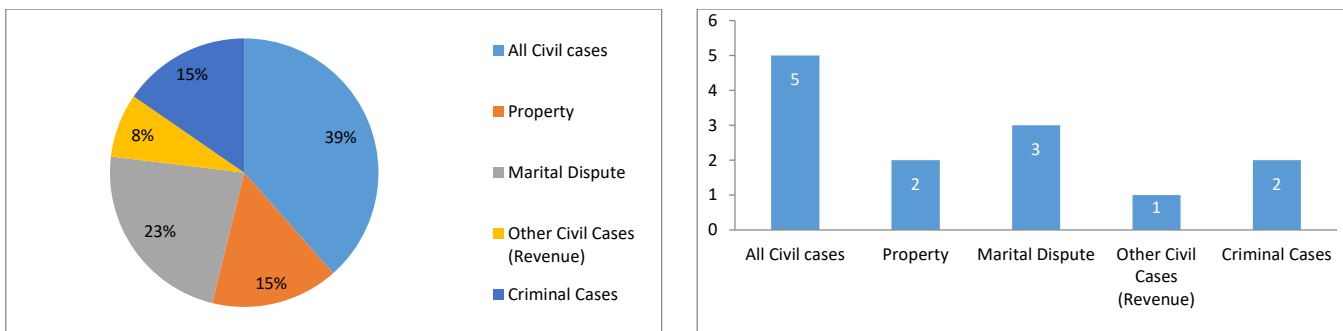


Figure 18: Basic demographic and professional profile of lawyers interviewed

Observations related to Court Specific

12.4 From the survey it is found that only one lawyer filed/defended more than 1000 cases but having overall representation of only 13%. The major representation is 25% for which the total number of case filed are 40-75, 200-350 and 400-600. It is also revealed that 50% of the lawyer involved in the profession for 5-10 years. It is also observed that maximum 10 cases handled simultaneously by a lawyer and minimum for the same is 2. The graphical illustration as well as histogram representation of the above information is given below:

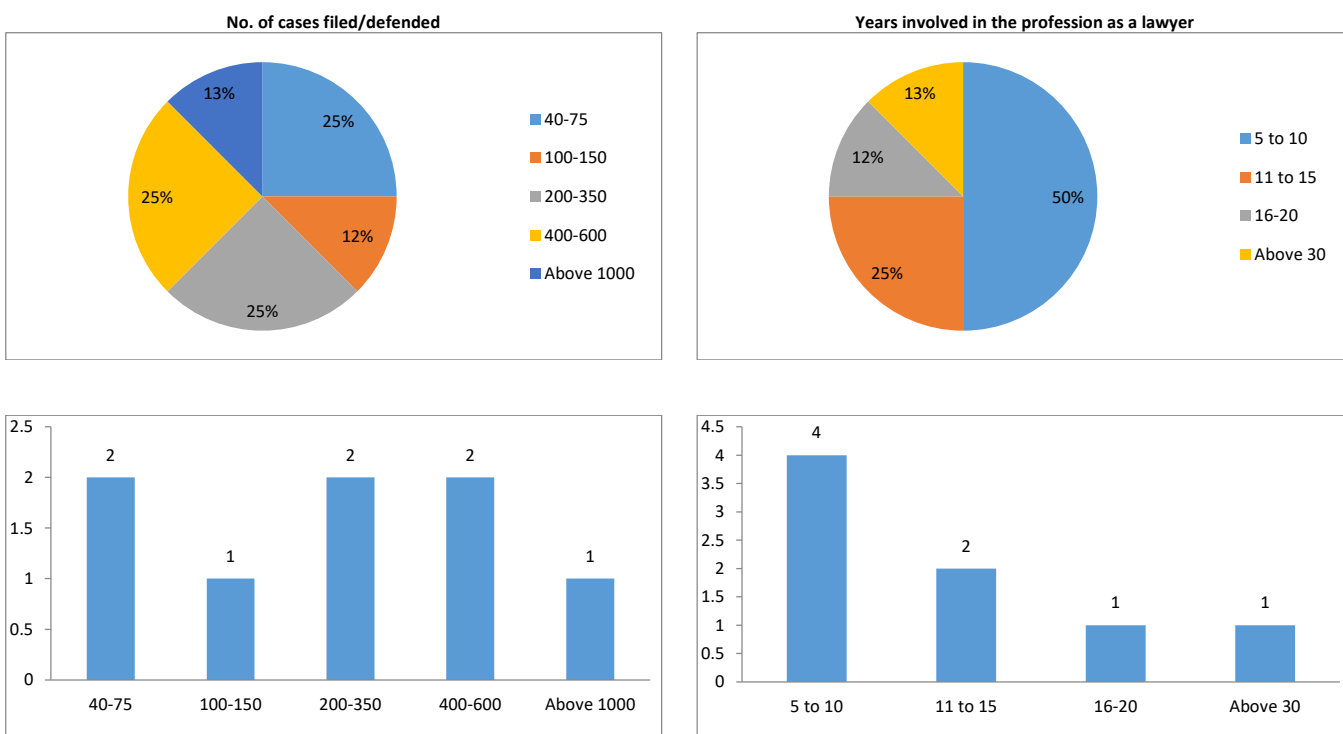


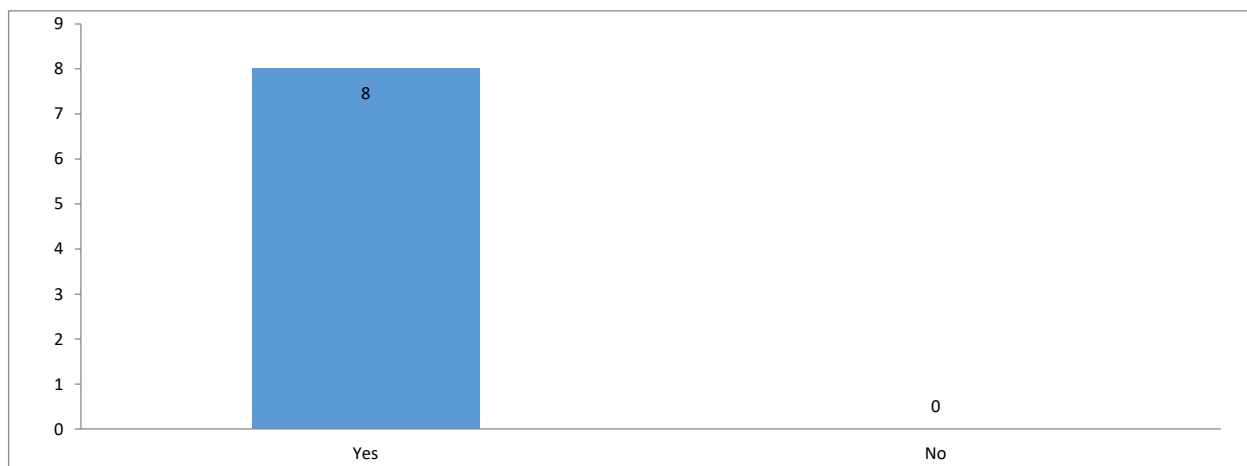
Figure 19: Professional qualifications of the lawyers interviewed

Observations related to Process of adjournment

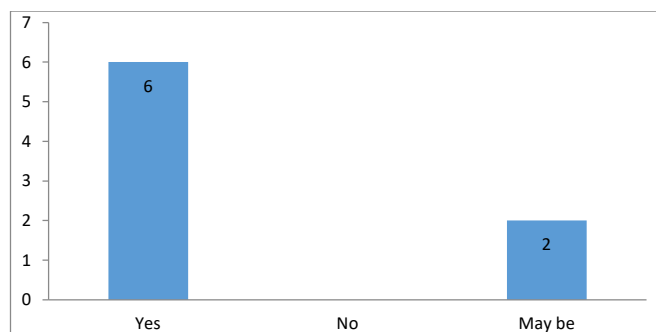
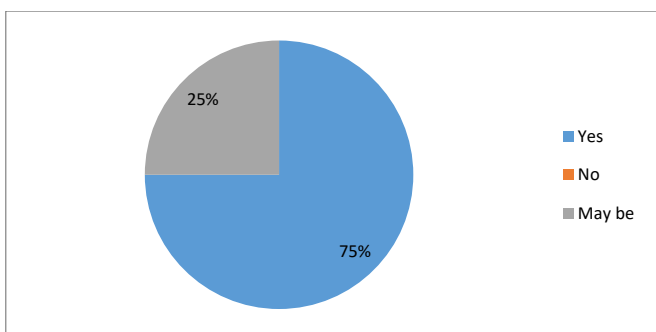
12.5 According to the survey, all the lawyers agreed that the adjournments of cases are essential. 75% of the lawyers thought that the existing information portal (court.gov.in) is useful for the clients. It is revealed that 87% of the lawyer think that some information repository about the general court proceeding will save time in terms of clarification asked by the clients. Most of the lawyers (16%) think that information about how to dress and behave in the courtroom is most essential which will be beneficial for litigants in pre-case stage. Apart from that 14% of the lawyers think information about roles & procedures and information about where to get help in the courthouse are also important recourses which will be beneficial for litigants in pre-case stage. The graphical illustration as well as histogram representation of the above information is given below:

Figure 20: Requirement of court related information to be published for information to litigants

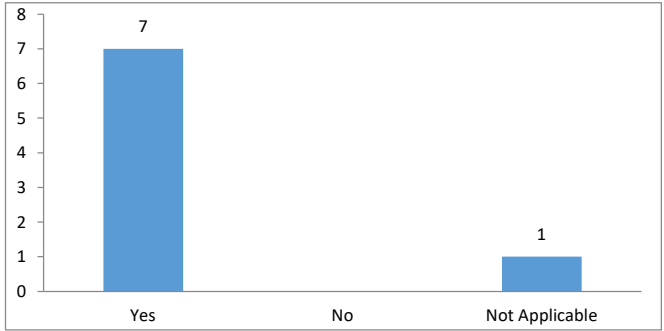
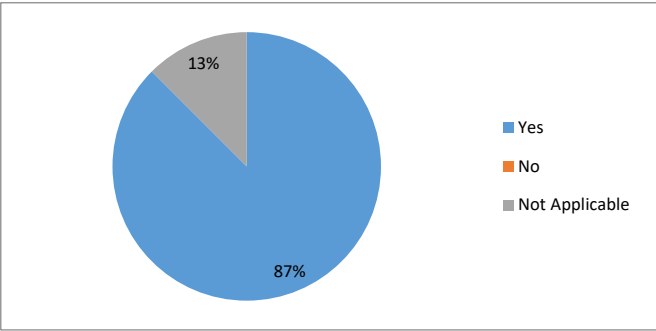
Essentiality for adjournments of cases



Usefulness of existing information portal



Necessity for information repository about the general court proceedings which will save time in terms of clarification asked by the clients



Requirement of specific general information which will be beneficial for litigants in pre-case stage

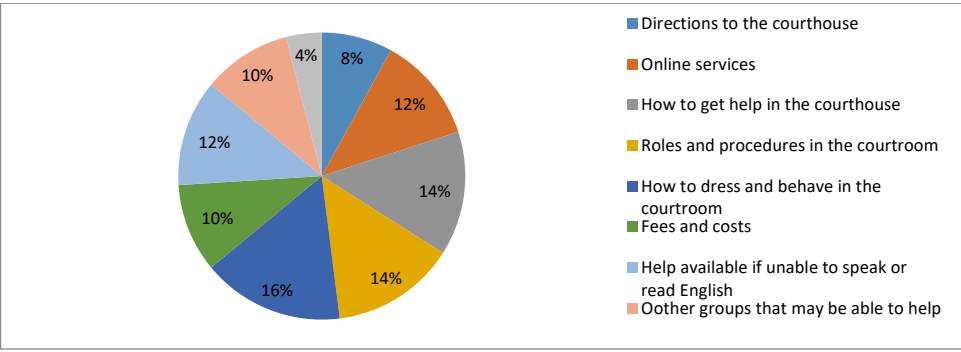
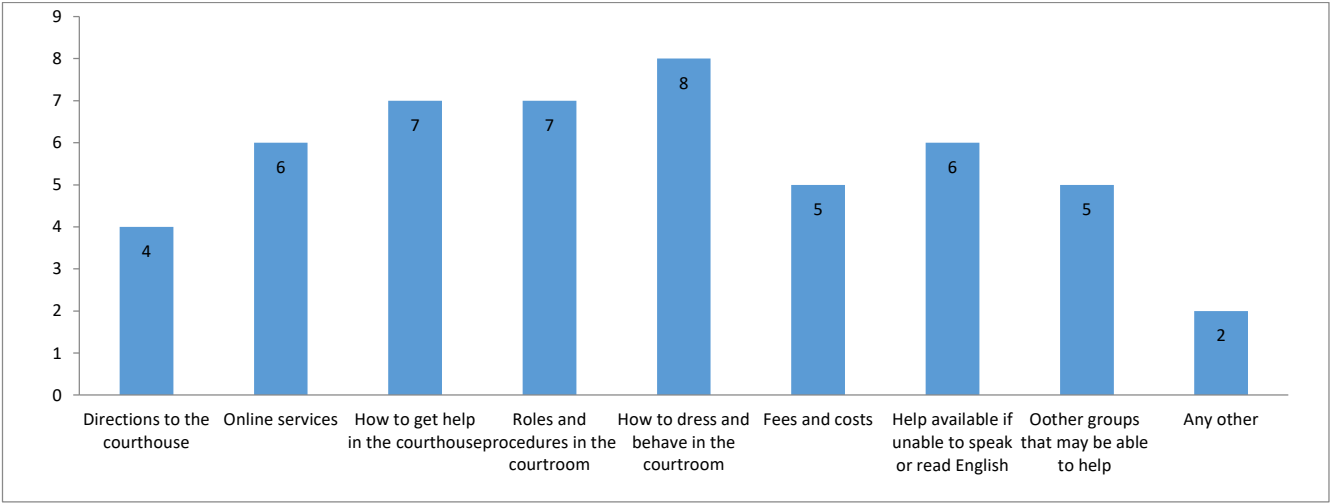
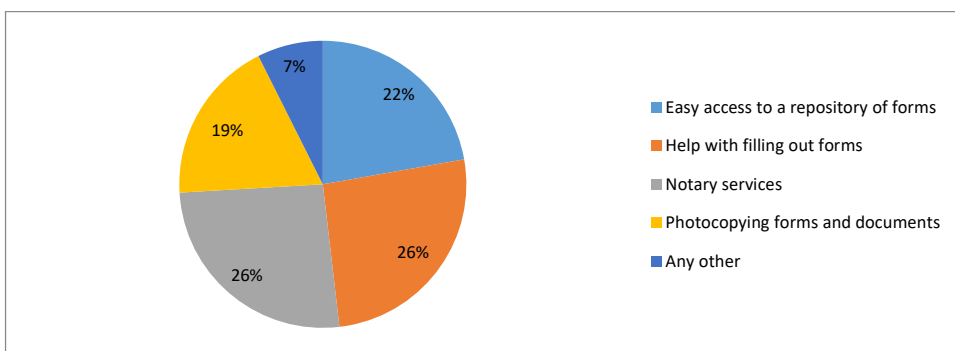
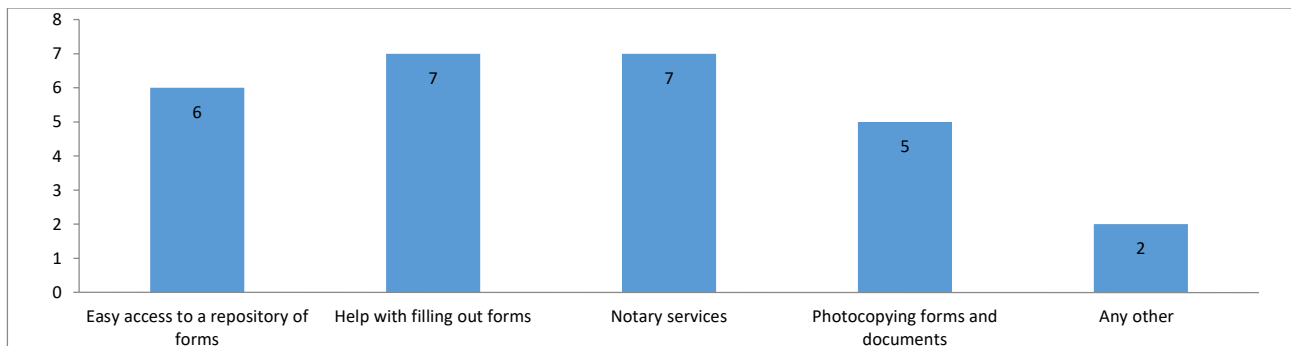
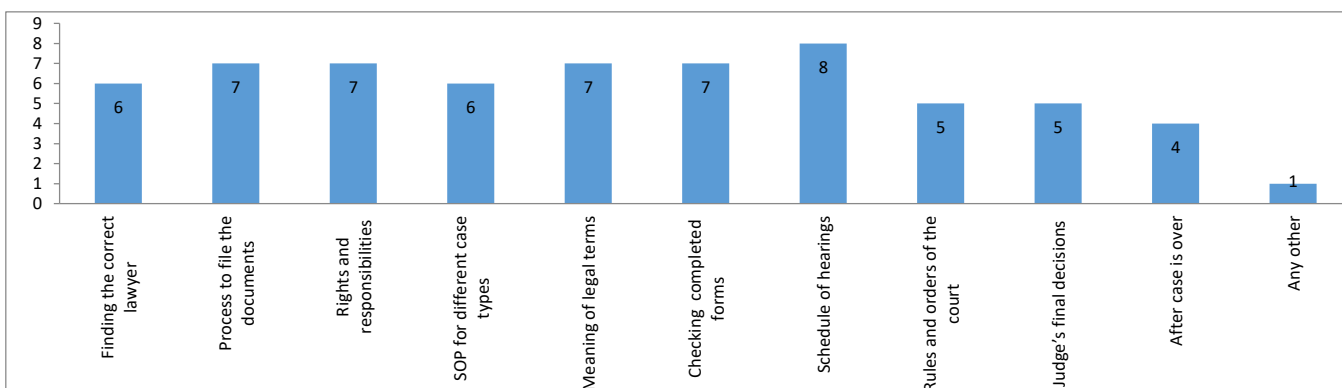


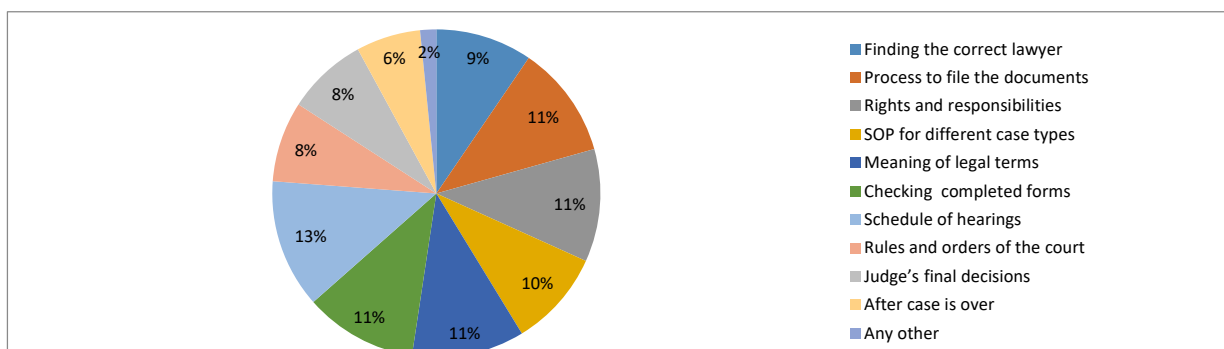
Figure 21: lawyers' responses to the documentation services required by the litigants

Documents services/resources beneficial for the litigants to save the time of a lawyer



Specific legal services and resources for the litigants in order to save the time of a lawyer





Reasons for adjournment

12.6 Absence of presiding officers has been stated as one of the prime reasons for adjournment in the court functioning processes. Since he is the presiding officer, every decision needs his attestation for the order to be put into effect. The vacancies not being filled by proper recruitment process has been stated by few of the lawyers. Exclamations have been made on the inefficiency and bad time management of the judges as well as their biased attitude towards few cases. For e.g. - the lawyers continue to take long dates so as to cover the tenure of the current judge (the tenure of a judge is for a period of 2-3 years) and present the case afresh to the new judge.

12.7 Since advocates have to deal with multiple cases at the same time they can't be present everywhere, hence some cases have to delay so that pertinent ones can be immediately attended.

12.8 Adjournments are also asked when lower court record for the previous case needs to reach the courtroom without which there can't any proceeding.

12.9 Requests from the lawyers like the 'senior is not well' or the opposition party is 'out of the state or country' or evidence not able to come or be presented or proper documents and exhibits needs to be attached as annexures or some smaller petition is still pending which needs to be disposed before moving to the main case.

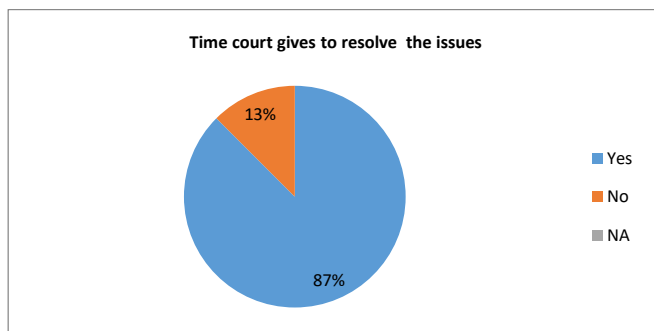
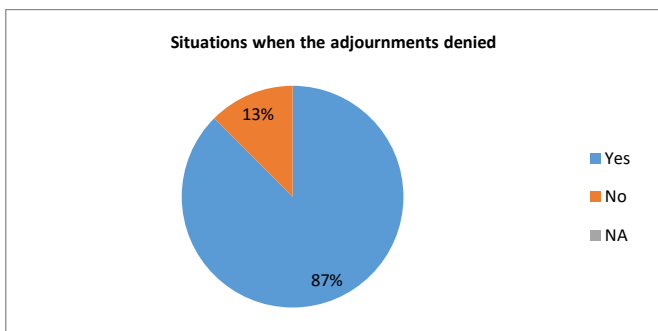
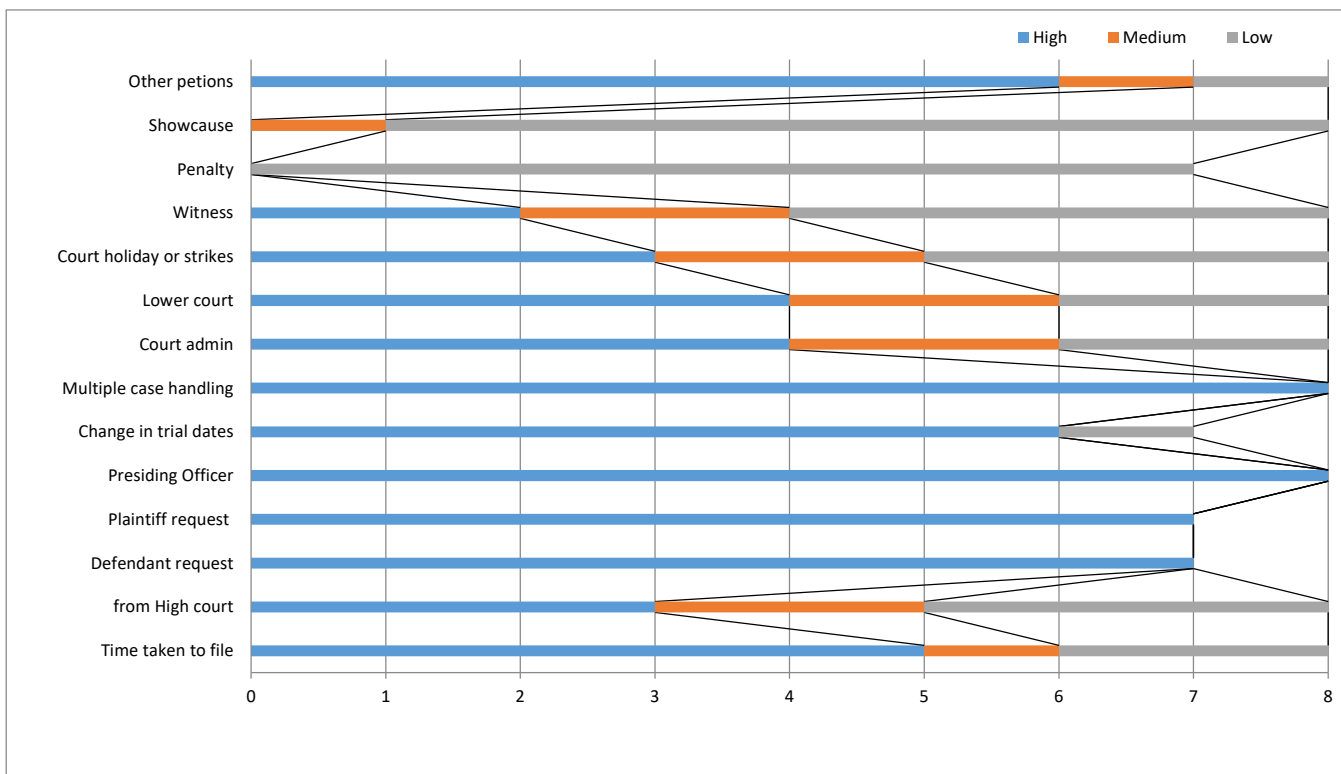
12.10 Holidays and vacations also leads to court adjournments thus leading to subsequent delays.

13 Observations related to Court Process

13.1 The major source of court delay (severity of delay is very high) is found because of unavailability (busy/on leave/on transfer order) of Presiding Officer and multiple case handling by lawyers. Non filing of penalty and show cause not given are two major sources of court delay but severity in this case is found low. Most of the lawyers appealed multiple times to the High court and most of time High court takes 10-15 days to respond to the appeal raised. 87% of the lawyer agreed that there are many situations when the adjournments are

denied and the court gives stipulated time to resolve the issues. 88% of the lawyers agreed that there is specific process followed for the trial dates from court and 29% lawyers agreed that they would like to receive the trial dates online through an automated process by checking availability of all concerned stakeholders. The graphical illustration of the above information is given below:

Figure 22: Lawyers' response regarding the court processes followed along with court performance parameters



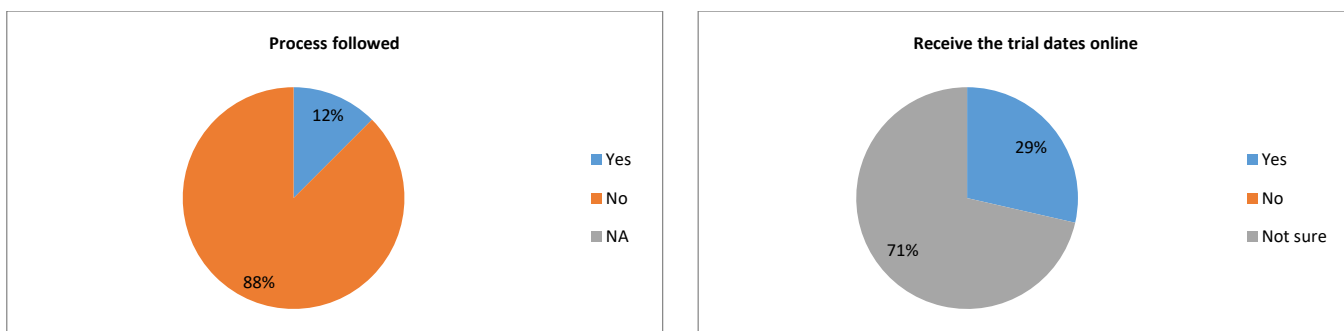


Figure 22: Lawyers' response regarding the court processes followed along with court performance parameters illustrates lawyer's response to different reasons for the delay along with their impact as perceived by the lawyers. In line with the recommendations provided by litigants, most of the lawyers (75%) also agreed about the usefulness of providing information portal to save time. As per lawyer's recommendation, following services can be provided to reduce the effort and time:

- Information about court decorum and processes
- Language translation services
- Automated services include notary services, guide to fill out the form, access to form repository etc.
- Automated hearing schedule to increase efficiency and transparency by reducing manual intervention
- Identifying the bottlenecks in administrative process and employing professionals with suitable skillset for process streamlining
- An awareness drive to make litigants informed about their rights, roles and responsibilities

III. Conclusion & Recommendations

Long delays in processing cases are common in the Indian judicial system. This problem exists despite the fact that for more than 60 years judges, lawyers, and policymakers in India have experimented with ways to speed the processing of civil and criminal cases. Delay reduction programs, however, needs to be checked at micro level rather than providing general prescriptions for major causes of delay.

Reasons for delay:

- The primary reason for delay as explained by most of the lawyers is lack of sufficient judges. Since judges are holding the autonomy to pass a judgement for disposal of cases, they are the ultimate decision makers. But since they are an integral part of the court management system, they are also responsible for the administrative duties and responsibilities which includes, disposal of interim petitions, transfer orders, busy with other cases or court related work etc. Also there are delays related to the appointment of judges which is a very cumbersome process as stated by most of them because its time and opportunity costs are high.
- The second reason is poor infrastructure as stated by few lawyers. Due to less court rooms and high pendency of cases (both old and fresh cases), the problem of multiple dates for disposal of one case is an inevitable problem.
- There is a pertinent problem of inadequate court staff who are responsible for the maintenance and protection of court documents as well as to guide the lawyers and litigants to the whereabouts of their cases. The problems of absenteeism, low commitment towards their work, short duration transfers and lack of administrative training has been intermittently contributing to the long delays as well. Also the courtroom requires professional people with a knowledge of Information Technology to streamline the process.
- Technology is a very important and the most required component to bring drastic change in the lower courts which is followed by Supreme Court and high courts in India. Massive cases are lying in the court rooms which still need to be replaced by digitisation. For e.g. – in some civil cases it has been seen that the lower court record (LCR) takes years to reach the respective court room, because the records are not yet found by the personnel in the record room. Most cases have many interim petitions and other smaller cases added to them which requires to be disposed off before moving to the main case. Thus lack of adequate technology is leading to higher pendency of cases.
- There is a huge delay due to the processes of court functioning which results from the litigants occurring during the trial stage namely non-attendance of witnesses, non-appearance of lawyers, lengthy oral arguments, arbitrary adjournments, delayed judgments.

- Lastly, cases are dragged by either of the party in some cases because there is a greater profit / benefit that is available on filing a case, hence misused by litigants or lawyers at times. Thus the legal system is sometimes misused by frivolous litigation. There are also delays whenever appeals are filed by litigants on matters of fact or matters of law , causing delay at the appellate stage . Moreover, during the execution stage also some form of delay does happen for instance in eviction cases related to urban property, delays are caused by successive attempts to obstruct delivery.

Recommendation (litigant's side)

- The court administration and other personnel are equally responsible for the adjournments, having their individual contributions in the cases as a whole. Thus proper training and recruitment of more focussed and efficient personnel can lead to less of carelessness and more of seriousness from their side. Many of them can also be outsourced to meet the growing requirement of handling multiple cases and the backlogs. They should follow some code of honesty and sincerity towards their work.
- Lawyers are mostly willing to file multiple cases within the radar of one lawsuit because this is their business. But the judges have the authority to accept or reject such petitions after careful perusal or may be dispose of the petition within a week's time. Thus putting limit caps on the duration of smaller petitions can definitely help the litigants to a great extent.
- Digital technology has reached its peak in every aspect of our lives hence it should replace the manual labour that still operates within the congested and overcrowded rooms of lower courts leading to lesser paper filing and more sorted digitisation of cases. The court rooms needs to be cleaned and infrastructure needs to be expanded to house large number of cases that are being already filed and are being filed every day. Online tracking and monitoring of cases by a central information system of the court could be helpful. Many more fast-track courts are required even if they would be premium pay based - at least judgement will be delivered, more judges or a body to take decisions should be there to monitor the cases online, time based settlement and clustering of same cases can lead to easy facilitation.
- More judges need to be recruited to fill up the vacancies and meet the court's demands. No room should lie vacant, moreover, all the cases that need to be heard on a particular date should be heard on the same day and not being given an adjournment, to be heard on the next date.
- The number of courts should increase in the country, the financial structure of the cases should be decided on so that poor people can afford the services and also get judgement. There should be a centralized fee collection centre for filing and other documentation, judges should be requested to finish up the whole process within a stipulated time and to follow the orders from the higher court, one court should manage every detail, petitioner's should have the right to change the court in case he or she is not satisfied,

court rooms need to be well managed and maintained, government should make website for general people which will help in the most authentic way.

- Increasing the court working hour may be considering as a possibility. By this, the recommendation is not to increase the duty hour of a presiding officer but to offer support services for longer duration to reduce the time spent inside the courtroom. Issues like overlapping of hearing dates, online information sharing about the presence / absence of presiding officer and rescheduling of court date with shorter dates should partially tackle the inconvenience faced by the litigants. Total expenditure of the case should be structured -like what happens in private hospital vs Government.

Recommendation (lawyer's side)

- There is need to enhance judicial administration and the judges being the key personal must be trained and equipped so that they may acknowledge the importance of process change requirements for their own benefit. This would involve providing training programmes for judges and court official to increase efficiency in their respective job roles and duties.
- More judges should be recruited, thereby increasing the number of sanctioned judges to fill up the vacancies.
- As of now, judges do not have specific incentive to reduce the duration of justice delivery and their primary focus remains on consistency of decision-making process. Other stakeholders use this opportunity to make the process delayed. The sufferers are the people who file cases and have to spend money without knowing deadlines. Also, bigger cases (cases involving greater stakes) can be given special courts, that way it can lead to speedy delivery of judgement.
- Judgements from the higher courts should be considered and implemented by judges which usually they tend to keep aside and accept stay order from the aggrieved. In many cases judges are not comfortable to give an adverse order hence they keep giving orders on interim petition and the first case/ main case remains isolated. If both parties can provide their respective arguments in written form, it would definitely lead to fastening of the judgement by the judge.
- Most of the courts should imbibe the operating principles of fast track courts those work especially during the trial stage where maximum delay is caused. A period of 5 years should be fixed for the disposal of cases, putting limit caps to case duration. Thus, if "last chance" is given to one party it should be considered seriously by all the stakeholders.
- Furthermore, the Indian lower courts do not rely on an extensive use of technical aids . Especially the importance of computerization of courts should not be overlooked. Information technology, for instance, has helped to diminish arrears in the Supreme Court in two important ways. First, the computerized court registry has listed all pending cases in chronological order. Listed matters have been taken up sequentially, leaving no room

for arbitrary decisions. Second, when a judge is absent, the cases are immediately transferred to other judges, making sure that similar cases are assigned to the same judges.

- The working days of judges and other court officials needs to be increased on an average. Due to strikes and holidays the lower courts functions for a period of 220 to 240 days or less. This leads to delay in cases a whole. Also, it should be noted that the problem of multiple cases (a court date is assigned after 2 months hence 4 to 5 dates in a year) , their complexities and lesser working days leads to increase in case duration. Implementing such cultural changes in particular can be difficult because they require changes in the way people work.

Considering the recommendations received from the sides of both litigant and lawyer, we summarize our discussion by segregating the recommendations into three broad categories: **People, Process, Policy** and **Technology**. This classification helps us to understand the implementation focus of recommendations.

Category 1: People

Table 9: Recommendations related to stakeholders

<i>Problem</i>	<i>Recommendation</i>	<i>Action Plan</i>
Delay in receiving/producing required information for movement of court proceedings	<ul style="list-style-type: none"> • Periodic training to all stakeholders including presiding officers to reinforce the economic, social and emotional value of delay • Incentivize stakeholders, i.e. lawyers, administrative personnel, to attend those workshops • Documentation infrastructure and search applications must be implemented 	<ol style="list-style-type: none"> 1. Specific half-yearly Training programs of administrative personnel and judiciary officers in three primary areas: behavioural, operations and technology. All training programs should be specific to the problems faced in judicial services. Intent is to increase awareness of more sophisticated techniques in running courts and a buy-in from key stakeholders. 2. Some point system may be designed that internal personnel has to complete every year. Lawyers need to attain some certificate yearly to ensure that similar behavioural/other training has been imparted. 3. Soft copies should be created for court cases. Specific access may be given to lawyers to view case related information. Administrative personnel and judges should have complete access to search and view.
Long adjourned time period	<ol style="list-style-type: none"> 1. Being the decision making authority of the court, presiding officers should be sensitized about the apathy of litigants for this delay. 2. Attempt must be made to speedup long pending cases with shorter adjournments, and the presiding officer must be empower to such discretionary power in the interest of the judicial process 	<ol style="list-style-type: none"> 1. Behavioural training should be imparted at a frequent intervals to sensitize the presiding officers. 2. Some policy changes in terms of designing a penalty structure is required to stop unnecessary adjournments. Secured video conferencing facility may be established to reduce the time delay.
Absence of witness and follow up action	<ol style="list-style-type: none"> 1. Setting up support desk for follow up activities for trivial cases 	

	2. Video conferencing facilities for witnesses instead of adjourning the proceedings	
Presiding officer not available	1. Increase in completion rate will reduce the lead time and hence will provide more space to presiding officers to handle more number of cases	1. Increase the number of presiding officers from the input side by increase capacity of law schools. Create a variable payment structure for presiding officers to provide incentive to complete the cases on time.
Awaiting order/instructions from High Court	1. Independent body (pan India) to handle the transition between multiple court levels who will correspond to the litigants and lawyers.	1. A pan-India technology platform (institution) to integrate the chain of action in a cases across courts
Lack of awareness among litigants related to court related information	1. A generic service centre model to increase efficiency and efficacy of service delivery to the litigants may be deployed. Existing administrative personnel may be reassigned with training. Involvement in training activities may be compulsory. 2. Create 'first point of contact personal' in courts (outsourced activity) to counsel on the various dispute resolution options	1. Create kiosks to outsource all non-judiciary activities to a third-party by ensuring service level and compliance.
Unavailability of lawyers	1. Basic information of a lawyer (number of cases handled, number of ongoing cases, average case completion time etc.) should remain in a repository and litigants may seek this information from courts to make an informed choice.	1. Bar Council of India to create a feedback system for litigants

Category 2: Process

Table 10: Recommendations related to processes

<i>Problem</i>	<i>Recommendation</i>	<i>Action Plan</i>
Delay in fetching required information for court proceedings	<ol style="list-style-type: none"> 1. Litigants should be provided administrative support. 2. A separate cell should be assigned to follow up these types of activities. Digital archiving (of live and completed cases) and controlled access to litigants will also help in reducing information asymmetry and access restrains 	<ol style="list-style-type: none"> 1. Most of the case information should be recorded in a soft copy format that litigants can access remotely. Access of specific information may be decided based on approval.
Application for case switching	<ol style="list-style-type: none"> 1. Automated system (single-click) for approval and change confirmation 2. Separate IT officer assigned to multiple presiding officers for smooth conducting of this activity 3. Litigants claim should be verified before filing this application to avoid loss of time later. Clear SOP with document requirements will help to avoid any ambiguity in this regard. 	<ol style="list-style-type: none"> 1. A separate cell (with IT support) should be created for receiving applications of case switching. The cell should coordinate with the office that schedules the case dates to keep information symmetry.
Absence of witness and follow up action	<ol style="list-style-type: none"> 1. Administrative support to expedite the process 	<ol style="list-style-type: none"> 1. Absence of witness should be informed to the court office at least 3 days before the schedule case date to void any delay. Otherwise a penalty should be imposed. 2. In case of remote location of the witness, video-conferencing facility may be provided by charging a minimal amount. Court may assign a third-party to arrange this video-conferencing facility.
Request by Litigant to postpone the hearing date	<ol style="list-style-type: none"> 1. An independent agency should be assigned to expedite the process by communicating with litigant and lawyers. Agency should be incentivized based on their efficacy in terms of number of days reduced 2. Presiding officer to be given more control over the process to limit adjournments 	<ol style="list-style-type: none"> 1. The agency should be evaluated and incentivized by defining KPIs.
Unavailability of Presiding Officer	<ol style="list-style-type: none"> 1. Release presiding officers from any non-value added activity because of limited time 	<ol style="list-style-type: none"> 1. Assign a firm/institution to conduct an independent study to understand the non-value added

		activity that a presiding officer has to do in his/her daily routine. Identify the possibility of doing those activities either by technological intervention or outsourcing it to an competent body.
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Category 3: Policy

Table 11: Policy related recommendations

<i>Problem</i>	<i>Recommendation</i>	<i>Action Plan</i>
Delay in information from litigants	1. Litigant is requested to respond only within a certain date; - otherwise financial penalty may be imposed.	
Long adjourned time period	1. Time between two adjournments should not be beyond a threshold limit defined by Service Level Agreement (SLA) 2. Number of adjournment that the parties/lawyer/judges can seek must be predefined – any additional adjournment must be at the cost of the seeker (including the lawyer)	
Application for case switching	3. Service Level Agreement (SLA) should be given to keep a check on the case transfer time.	1. Separate entity should be responsible for transferring of cases subject to validity of the appeal made.
Request by Litigant for delaying the court proceedings	1. Specific reason and information should be sought/recorded from litigant/lawyer for approving such requests	
Change in trial dates	1. Cumbersome process for changing the trial dates may deter the applicants.	1. Create a process that makes the change of date inconvenient to the litigants to deter them to opt for date change too frequently for frivolous reasons.
Non-availability of presiding officers or delay in assigning a case to a presiding officer	1. Create Key Performance Indicator (KPI) to see number of cases with no judge or average number of days one case is pending without getting assigned to a judge, average number of concurrent cases one judge handles, complexity of cases handled, average decision time etc.	1. Some variable payment may be introduced for judicial officers by following the KPIs to incentivize.
Delay because of number of petitions filed	1. Putting limit caps on the duration of small petitions filed	

Category 4: Technology

Table 12: Recommendations related to role of technology in court process improvement

<i>Problem</i>	<i>Recommendation</i>	<i>Action Plan</i>
Adjournment by Presiding officer	1. Reason for adjournment should be entered clearly into the system to analyse it (ACR)	1. It should be compulsory for presiding officer to enter the reason of adjournment with the person responsible for adjournment.
Long adjourned time period	1. Automation of scheduling by checking availability of all stakeholders 2. If the adjournment went beyond a defined time limit, alert system should be there to inform relevant authorities along with escalation opportunity 3. User should have the access to seek response for the delay in case it is beyond limit	1. Installation of auto-schedulers required for scheduling of cases 2. Escalation matrix should be clearly defined in case of any violation in adjournment time period
Application for case switching	1. Once agreed, this application process should be completely automated and initiated by designated authority after application by litigant	
Re-scheduling of hearing dates for multiple reasons	1. Automated scheduler should recommend instead of manual intervention once approved by competent authority	
Awaiting order/instructions from High Court	1. All courts should be connected for seamless transfer of files. Multiple levels of authorization is required like blockchain technology.	
Lack of court proceedings knowledge (litigant)	1. Online repository of standard information will help to increase the basic knowledge and will reduce the clarificatory time	1. Following information may be kept for litigants: <ul style="list-style-type: none"> • Repository of forms • How to fill the forms - video / pdf / centre assistance • Availing notary services - online appointment and support • Photocopying - Online upload/scan • Support centre to identify specific lawyer • Information (online/offline) for court related rules/norms/general understanding of legal

		<p>process/courtesy - dress etiquette in court etc.</p> <ul style="list-style-type: none"> • Process to file the documents • Standard Operating Procedure (SOP) of handling different case types • Meaning of legal terms
Absence of required witness	<ol style="list-style-type: none"> 1. Authorized personnel from court may take a video with basic information sought from witness to avoid the delay in waiting for the witness to appear. 	

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Appendix A: Questionnaire for Litigants

Basic Profile

1. What is your gender?
 - 1.1. Male
 - 1.2. Female
2. Which of the following categories includes your age?
 - 2.1. Less than 18 years of age
 - 2.2. 18-24 years old
 - 2.3. 25-34 years old
 - 2.4. 35-44 years old
 - 2.5. 45-54 years old
 - 2.6. 55-64 years old
 - 2.7. 65 years and older
3. Which of the following best describes your current status?
 - 3.1. Single
 - 3.2. Married
 - 3.3. Divorced
 - 3.4. Widowed
 - 3.5. Separated
 - 3.6. Others (Please specify) _____
4. What is the highest degree or level of school you have completed?
 - 4.1. Illiterate
 - 4.2. 8th grade or below
 - 4.3. 9th to 10th grade
 - 4.4. 11-12th grade (e.g. GED)
 - 4.5. Some college but no degree
 - 4.6. Bachelor degree
 - 4.7. Post graduate and above
5. What is your primary language?
 - 5.1. English
 - 5.2. Hindi
 - 5.3. Bengali
 - 5.4. Any Other _____
6. What is your profession?
 - 6.1. Business
 - 6.2. Services
 - 6.3. Professionals
 - 6.4. Others (Please specify) _____

Court Specific Questionnaire

7. How many cases have you filed/defended till now?

8. Years involved in the most recent (current) case (for Plaintiff or defendant): _____ Years
9. Type of case involved (for Plaintiff or defendant) [Example: Property dispute, marital dispute etc.]

10. Do you have any idea about the court proceedings (e.g. filing a petition etc.)?
10.1. YES
10.2. NO
10.3. Any other _____
11. What stage is your case in the court process? [Subjective question – Write the response of the interviewee]

12. Prior to filing your case or document, what level of knowledge did you have about the court procedures?
12.1. A great deal of knowledge
12.2. Reasonably good knowledge
12.3. Some knowledge
12.4. Very little knowledge
12.5. No knowledge at all
13. Was this the first time you are handling court proceeding?
13.1. YES
13.2. NO
13.3. Not Applicable
14. Prior to filing your case or document, did you know where to find help and/or resources?
14.1. YES
14.2. NO
14.3. Not Applicable
15. Are you facing any financial difficulty in handling the court proceedings?
15.1. YES
15.2. NO
15.3. Not Applicable
16. What specific general information and/or resources were you seeking in a pre-case stage? (multiple options can be chosen)
16.1. Directions to the courthouse
16.2. Online services
16.3. Information about where to get help in the courthouse
16.4. Information about the roles and procedures in the courtroom
16.5. Information about how to dress and behave in the courtroom
16.6. Information about fees and costs

- 16.7. Information about the help available if I am unable to speak or read English
- 16.8. Information about other groups that may be able to help me
- 16.9. Any other (Please specify) _____
17. What specific forms/documents services and/or resources were you seeking? (multiple options can be chosen)
- 17.1. Easy access to a repository of forms that you need for your case
- 17.2. Help with filling out forms
- 17.3. Notary services
- 17.4. Photocopying forms and documents
- 17.5. Any other (Please specify) _____
18. What specific legal services and/or resources were you seeking? (multiple options can be chosen)
- 18.1. How to find a lawyer for the case?
- 18.2. What kind of help from the court you can get with your case in general?
- 18.3. How do you file your documents in court?
- 18.4. How do you find the rules or laws that might apply in your case?
- 18.5. How do you set a motion before the judge?
- 18.6. How the legal process works for cases like yours?
- 18.7. What steps you need to follow in your case?
- 18.8. What legal terms mean?
- 18.9. What you need to show in your case?
- 18.10. Checking your completed forms before and after they are filed
- 18.11. How can you show your evidence?
- 18.12. When your hearings are scheduled?
- 18.13. What happens if you do not follow the rules and orders of the court?
- 18.14. Explaining what the judge's final decisions are
- 18.15. What you can do after your case is over?
- 18.16. Any other (Please specify) _____
19. Were you able to access any case related information through online sources?
- 19.1. YES
- 19.2. NO
- 19.3. Any other (Please specify) _____
20. If answer from the previous question is YES, please specify the sources of information.
- 20.1. Court website
- 20.2. Other legal services website
- 20.3. Online professional services
- 20.4. Any other (Please specify) _____
21. Please specify the electronic gadgets with which you are comfortable to avail online services:
- 21.1. Desktop / laptop
- 21.2. Tablets
- 21.3. Smartphone
- 21.4. Any other (Please specify) _____
- 21.5. Not Applicable

22. If you had the option of going to a website that would ask you certain questions about your legal issues and then direct you to legal and non-legal resources in your area that may help you, would you use it?

22.1. YES

22.2. NO

22.3. Not Sure / Not Applicable _____

Court Process Questionnaire

23. Do you think that there is delay in court proceedings?

23.1. YES

23.2. NO

23.3. Not sure / Not Applicable

24. What do you think as the major source of court delay? (Open ended question – If YES to the previous Q)

<u>Source of Delay</u>

<u>Severity of Delay</u>	
High	
Medium	
Low	

SN	Source of Delay	Severity		
		High	Medium	Low
1	Time taken to file and to list a petition			
2	Awaiting order/instructions from High Court			

3	Request for time by defendant			
4	Request for time by plaintiff			
5	Presiding Officer schedule/on leave/on transfer order			
6	Change in trial dates from court			
7	Lawyer busy			
8	Court admin absent / transferred			
9	Time taken for lower court record to reach presiding officer			
10	Court holiday or strikes			
11	Witness / evidence absent			
12	Penalty not filed			
13	Showcause not given			
14	Other petitions pending to be heard			

25. Source of delay: Awaiting order/instructions from High Court:

25.1. Did you file an appeal to the High Court?

25.1.1. YES

25.1.2. NO

25.1.3. Not applicable

25.2. How many times you have appealed to the High Court? (If the answer to the previous question is YES – Also a tentative number will suffice)

25.3. How much time High Court takes to respond to the appeal raised? (If the answer to the previous question is YES – Also a tentative number will suffice)

26. Source of delay: Request by defendant

26.1. What types of requests does the defendant (lawyer) make for adjournment? (Open ended question)

26.2. Is there any situation when the adjournments are denied?

26.2.1. YES

26.2.2. NO

26.2.3. Not Applicable

26.3. Is there any stipulated time that the court gives to resolve the issues?

27. Source of delay: Request by Plaintiff

27.1. What types of requests does the defendant make for adjournment? (Open ended question)

27.2. Is there any situation when the adjournments are denied?

27.2.1. YES

27.2.2. NO

27.2.3. Not Applicable

27.3. Is there any stipulated time that the court gives to resolve the issues?

28. Source of delay: Presiding officer not available

28.1. How many times the adjournments were made because of unavailability of presiding officer? (Yes or No is acceptable as answers in case the litigant is unable to specify a number)

29. Source of delay: Trial dates from court

29.1. Who decides the dates? (Open ended question)

29.2. Is there any process followed?

29.2.1. YES

29.2.2. NO

29.2.3. Not Applicable

29.3. Would you like to receive the trial dates online?

29.3.1. YES

29.3.2. NO

29.3.3. Not sure

Appendix B: Questionnaire for Lawyers

Basic Profile

1. What is your gender?
 - 1.1. Male
 - 1.2. Female
2. Which of the following categories includes your age?
 - 2.1. Less than 18 years of age
 - 2.2. 18-24 years old
 - 2.3. 25-34 years old
 - 2.4. 35-44 years old
 - 2.5. 45-54 years old
 - 2.6. 55-64 years old
 - 2.7. 65 years and older
3. What type(s) of cases do you generally handle?
 - 3.1. All types of civil cases
 - 3.2. Property
 - 3.3. Marital dispute
 - 3.4. Other civil cases _____ (Please specify)
 - 3.5. Criminal cases
4. While court do you generally practice:
 - 4.1. High Court
 - 4.2. District Court
 - 4.3. Subordinate courts
 - 4.4. Others courts _____ (Please specify)

Court Specific Questionnaire

5. How many cases have you filed/defended till now? _____
6. Generally, how many cases you handle simultaneously? _____
7. Years involved in this profession as a lawyer: _____ Years
8. How many cases have you successfully completed ____ and if so in how many years _____

Process of Adjournment

9. Do you think adjournment of cases are essential?
 - 9.1. YES
 - 9.2. NO

10. What is your view about situation where adjournment is not given by the judge? (Open ended question)
 - 10.1. Should full autonomy be given to judges on adjournment request?

 - 10.2. What is your view on imposing a cap on maximum number of adjournments?

 - 10.3. If yes, how many adjournments would you consider appropriate (for both plaintiff and defendant) in a given case?

11. Your views on how to reduce delay caused by adjournment? (open ended question)

12. Do you think that the existing information portal (e.g. court.gov.in) are useful for the clients?
 - 12.1. YES
 - 12.2. NO
 - 12.3. _____

13. Do you think that some information repository about the general court proceedings will save your time in terms of clarification asked by the clients?
 - 13.1. YES
 - 13.2. NO
 - 13.3. Not Applicable

14. What specific general information and/or resources will be beneficial for litigants in pre-case stage? (multiple options can be chosen)
 - 14.1. Directions to the courthouse
 - 14.2. Online services
 - 14.3. Information about where to get help in the courthouse
 - 14.4. Information about the roles and procedures in the courtroom
 - 14.5. Information about how to dress and behave in the courtroom
 - 14.6. Information about fees and costs
 - 14.7. Information about the help available if I am unable to speak or read English
 - 14.8. Information about other groups that may be able to help me
 - 14.9. Any other (Please specify) _____

15. What specific forms/documents services and/or resources you think will be beneficial for the litigants to save the time of a lawyer (multiple options can be chosen)
- 15.1. Easy access (online / offline) to a repository of forms that you need for your case
 - 15.2. Help with filling out forms
 - 15.3. Notary services
 - 15.4. Photocopying forms and documents
 - 15.5. Any other (Please specify) _____

16. What specific legal services and/or resources should be provided to the litigants in order to save the time of a lawyer? (multiple options can be chosen)
- 16.1. How to find the correct lawyer for a case?
 - 16.2. What is the process to file the documents to the courts?
 - 16.3. How does a litigant find his/her rights and responsibilities during a case proceeding?
 - 16.4. Standard Operating Process (SOP) for different case types
 - 16.5. What legal terms mean?
 - 16.6. Checking your completed forms before and after they are filed
 - 16.7. When your hearings are scheduled?
 - 16.8. What happens if you do not follow the rules and orders of the court?
 - 16.9. Explaining what the judge's final decisions are
 - 16.10. What a litigant can do after your case is over?
 - 16.11. Any other (Please specify) _____

Court Process Questionnaire

17. What do you think as the major source of case duration? (Open ended question – If YES to the previous Q)

<p><u>Source of Delay</u></p>

<u>Severity of Delay</u>	
High	
Medium	
Low	

SN	Source of Delay	Severity
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		High	Medium	Low
1	Time taken to file and to list a petition			
2	Awaiting order/instructions from High Court			
3	Request for time by defendant			
4	Request for time by plaintiff			
5	Presiding Officer busy/on leave/on transfer order			
6	Change in trial dates from court			
7	Multiple case handling by lawyers			
8	Court admin absent / transferred			
9	Time taken for lower court record to reach presiding officer			
10	Court holiday or strikes			
11	Witness / evidence absent			
12	Penalty not filed			
13	Showcause not given			
14	Other petitions pending to be heard			

18. Source of delay: Awaiting order/instructions from High Court:

18.1. How many times you have appealed to the High Court? (If the answer to the previous question is YES – Also a tentative number will suffice)

18.2. How much time High Court takes to respond to the appeal raised? (If the answer to the previous question is YES – Also a tentative number will suffice)

19. Source of delay: Request by defendant

19.1. What types of requests does the defendant (lawyer) make for adjournment? (Open ended question)

19.2. Is there any situation when the adjournments are denied?

19.2.1. YES

19.2.2. NO

19.2.3. Not Applicable

19.3. Is there any stipulated time that the court gives to resolve the issues?

19.3.1. YES (Mention the stipulated time period if known) _____

19.3.2. NO

19.3.3. Not Applicable

20. Source of delay: Request by Plaintiff

20.1. What types of requests does the plaintiff (lawyer) make for adjournment? (Open ended question)

20.2. Is there any situation when the adjournments are denied?

20.2.1. YES

20.2.2. NO

20.2.3. Not Applicable

20.3. Is there any stipulated time that the court gives to resolve the issues?

20.3.1. YES (Mention the stipulated time period if known) _____

20.3.2. NO

20.3.3. Not Applicable

21. Source of delay: Presiding officer not available

21.1. How many times the adjournments were made because of unavailability of presiding officer? (Yes or No is acceptable as answers in case the litigant is unable to specify a number)

21.2. What do you think as the major reason behind unavailability of presiding officer? (open ended question)

22. Source of delay: Trial dates from court

22.1. Who decides the dates? (Open ended question)

22.2. Is there any process followed?

22.2.1. YES

22.2.2. NO

22.2.3. Not Applicable

22.3. Would you like to receive the trial dates online through an automated process by checking availability of all concerned stakeholders?

22.3.1. YES

22.3.2. NO

22.3.3. Not sure

23. Your opinion on how to improve the system

APPENDIX 1

Case 1: Suit No. 54 of 2003

Suit No. 54 of 2003 is a civil suit filed by the landlord of a property requesting for the eviction of his tenant from a rent controlled property. The suit was filed by Shri Nawal Kishore Singh who is the petitioner (and also the landlord) against the opposing party (and tenant) Shri Kamta Prasad Shaw on 1 August 2003. The value of the suit was mentioned as Rs. 500. This value which the petitioner claims is very important as it determines the pecuniary jurisdiction of the court. The petitioner requested the court to allow for the eviction of the tenant as the tenant was a habitual defaulter on his rent obligations and (equally importantly) the petitioner was in need of the property leased out by him for the accommodation of his own family (details of which were provided in the petition filed). The plaint filed by the petitioner details (as is required by law) the property in question including the address, the nature of how the petitioner came to own the property, the nature of the relationship with the opposing party, grievances against the opposing party, requirements of the petitioner supporting the prayer to the court, whether the petitioner has taken any action against the opposing party (and the provisions according to which said action was taken) and finally the prayer for specific relief being made by the petitioner.

This suit which we are studying in greater detail is one which is generally long drawn out due to its being an eviction suit. A decision in favour of the landlord might render the tenant homeless and a decision in favour of the tenant might be severely damaging to the source of income of the landlord. Hence the courts generally proceed very carefully when handling suits of this nature. This particular suit is further complicated by the fact of the property in question being a rent controlled property. This means that the property is governed by more regulations than those that generally govern a leased property.

As mentioned above, we shall outline the proceedings of this suit in the Appendix. We shall also summarise the duration & number of adjournments and classify them with respect to the causes for adjournment.

Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing (approx. in months)	Adjournment period required by law	Remarks
August 2003	Suit filed. Summons issued to defendant. Hearing adjourned to November 2003	November 2003	3 months	No specific period mentioned by law. Judges advised to provide enough time so that summons can be served on defendant and a response be filed so that later on defendant may not waste the Honourable	Adjourned so that summons can be issued to defendant and time allowed to file response

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				Court's time by claiming non-receipt of summons	
September 2003	Defendant files response. Hearing to be held in November 2003	November 2003	2 months	-	
November 2003	Adjourned to December 2003	December 2003	1 month	-	Defendant requests for time to file written statement
December 2003	Adjourned to February 2004	February 2004	2 months	-	Defendant requests for time to file written statement
February 2004	Adjourned to March 2004	March 2004	1 month	-	
March 2004	Adjourned to May 2004	May 2004	2 months	-	Defendant requests for time to file written statement
May 2004	Adjourned to June 2004	June 2004	1 month	-	Defendant requests for time to file written statement
June 2004	Adjourned to July 2004	July 2004	1 month	-	
July 2004	Adjourned to September 2004	September 2004	2 months	-	
September 2004	Adjourned to November 2004	November 2004	2 months	-	Adjourned for hearing arguments
November 2004	Adjourned to December 2004	December 2004	1 month	-	
December 2004	Although judge was supposed to pass order, since the plaintiff was not available, adjourned to January 2005 for passing order	January 2005	1 month	-	Presiding Officer is busy. Hence adjourned
January 2005	First substantial order passed in the suit. Although judge mentions that he/she is recalling his/her earlier order dated December 2004, it is unclear what order the judge has passed in December 2004. Adjourned to February 2005 for hearing.	February 2005	1 month	-	Recalls order prepared in December 2004. Adjourns to February 2005 for hearing petition of defendant
February 2005	Adjourned to March 2005 for passing order	March 2005	1 month	-	Adjourned for passing order

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March 2005	After studying the documents presented, the Judge orders payment of arrears on rent along with interest within 2 months of order being passed. Adjourned to June 2005	June 2005	3 months	-	
June 2005	Adjourned to July 2005	July 2005	1 month	-	
July 2005	Defendant files petition praying for the order of March 2005 to be set aside. Adjourned to July 2005	July 2005	-	-	Defendant files petition to set aside order of March 2005 and re-hear earlier petitions. Adjourned to decide on same
July 2005	Order passed in Bengali. Adjourned to August 2005	August 2005	1 month	-	
August 2005	Adjourned to November 2005	November 2005	3 months	-	
November 2005	Adjourned to January 2006 while giving last chance to the defendant to deposit the arrears and present the challans	January 2006	2 months	-	Adjourned giving time to defendant to deposit money
January 2006	Presiding Officer on leave. Adjourned to March 2006	March 2006	2 months	-	Presiding Officer on leave
March 2006	Adjourned to March 2006 for passing order	March 2006	-	-	Adjourned for passing order
March 2006	Defendant directed to file originals (for which he had filed photocopies) by next date. Adjourned to May 2006	May 2006	2 months	-	Adjourned to give time to defendant for filing originals
May 2006	Adjourned to July 2006	July 2006	2 months	-	Adjourned to give more time to defendant
July 2006	Adjourned to October 2006	October 2006	3 months	-	Adjourned to give more time to defendant
October 2006	Adjourned to January 2007	January 2007	3 months	-	Presiding Officer is on leave
January 2007	Adjourned to March 2007 to decide on petition by plaintiff for rent enhancement	March 2007	2 months	-	Adjourned to give more time to defendant and to hear petition of plaintiff
March 2007	Adjourned to May 2007	May 2007	2 months	-	

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May 2007	Rent enhanced. Adjourned to July 2007	July 2007	2 months	-	
July 2007	Costs imposed on defendant. Adjourned to November 2007	November 2007	4 months	-	
November 2007	Plaintiff brings order from the High Court directing that the case be disposed off within 3 months. Adjourned due to work load to December 2007	December 2007	1 month	-	Adjourned to December 2007 "as per order of High Court"
November 2007	Received High Court order. Trial Judge directed to dispose off the case as early as possible after disposing off all the interlocutory applications pending	-	-	-	
December 2007	Adjourned to December 2007	December 2007	-	-	Adjourned for 12 days "as per order of High Court"
December 2007	Adjourned to January 2008	January 2008	1 month	-	
January 2008	Adjourned to February 2008	February 2008	1 month	-	Adjourned to February 2008 "as per order of High Court"
February 2008	Adjourned to February 2008	February 2008	-	-	Adjourned to February 2008 for passing order
February 2008	Court recognizes that the defendant has failed to present originals of the documents despite numerous chances. All interlocutory petitions disposed off. Case to come to actual trial in March 2008. Defendant files petition to push back hearing.	March 2008	1 month	-	Adjourned to March 2008 for trial for speedy disposal "as directed by High Court". Petition of defendant to push back hearing to be heard in next hearing
March 2008	Hearing adjourned to April 2008	April 2008	1 month	-	
April 2008	One of the parties to the case is absent/asks for adjournment. Court imposes costs of Rs. 50 and adjourns hearing to May 2008	May 2008	1 month	-	While quoting the High Court direction, adjourns
May 2008	Adjourned to July 2008	July 2008	2 months	-	

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July 2008	Court imposes costs of Rs. 1000 on one of the parties. Adjourned to July 2008	July 2008	-	-	Commissioner appointed and adjourned to July 2008
July 2008	Order received from High Court staying earlier order of the Trial Court.	-	-	-	
July 2008	Adjourned to September 2008	September 2008	2 months	-	
July 2008	Writ prepared, sealed & signed	-	-	-	Writ most probably refers to order appointing commissioner
September 2008	Adjourned to February 2009	February 2009	5 months	-	
February 2009	Commission report received	-	-	-	
February 2009	Adjourned to February 2009 for Perfunctory Hearing	February 2009	-	-	
February 2009	Adjourned to March 2009 for Perfunctory Hearing	March 2009	1 month	-	
March 2009	Plaintiff asked to present evidence. Defendant claims to be unaware of perfunctory hearing on 24 Feb 2009 and that a commission was to be held at the suit premises on 6 Feb 2009. Plaintiff objects saying defendant intends to drag the case. Evidence shows defendant was on premises when commission was held. Defendant's petition rejected and fine of Rs. 100 imposed. Adjourned to April 2009	April 2009	1 month	-	Adjourned so that Plaintiff may present evidence
April 2009	Unable to read order. Adjourned to May 2009	May 2009	1 month	-	
May 2009	Both parties seem to be absent. Adjourned to June 2009	June 2009	1 month	-	One or both parties absent
June 2009	Both parties seem to be absent. Adjourned to July 2009	July 2009	1 month	-	One or both parties absent
July 2009	Both parties seem to be absent. Adjourned to August 2009	August 2009	1 month	-	One or both parties absent

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August 2009	Both parties seem to be absent. Adjourned to September 2009	September 2009	1 month	-	One or both parties absent. Presiding Officer Busy
September 2009	Defendant rakes up old petition. Claims it was not disposed off. Request denied. Fine imposed of Rs. 500. Adjourned to November 2009	November 2009	2 months	-	
November 2009	Witnesses examined. Defendant again tries to get an adjournment. Court permits completion of cross examination on next date. Adjourned to January 2010	January 2010	2 months	-	Adjournment allowed on petition of defendant
January 2010	Defendant does not appear. Later defendant files new Vakalatnama (appointment of a lawyer). Adjourned to January 2010	January 2010	-	-	One or both parties absent
January 2010	Adjourned to March 2010	March 2010	2 months	-	Originally scheduled hearing date declared holiday. Hence adjourned
March 2010	Defendant asks for adjournment which is rejected. Requests again stating that lawyer is busy with another case. Rejected. Cross examination completed of plaintiff's 1 st witness. Adjourned to March 2010 for examination of plaintiff's 2 nd witness	March 2010	-	-	Adjourned for further hearing
March 2010	Defendant gets order from High Court staying proceedings. Adjourned to May 2010	May 2010	2 months	-	Awaiting order from High Court
May 2010	Stay granted by High Court. Time granted till June 2010 to file certified copy of stay order	June 2010	1 month	-	Awaiting order from High Court
June 2010	Adjourned till September 2010 on petition of defendant awaiting further order from High Court	September 2010	3 months	-	Awaiting order from High Court
September 2010	Adjourned to January 2011 to allow time to defendant to file copy of stay order	January 2011	4 months	-	Awaiting order from High Court

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January 2011	Adjourned to February 2011 to allow time to defendant to file copy of stay order	February 2011	1 month	-	Awaiting order from High Court
February 2011	Adjourned to April 2011 to allow time to defendant to file copy of stay order	April 2011	2 months	-	Awaiting order from High Court
April 2011	Adjourned to May 2011 to allow time to defendant to file copy of stay order	May 2011	1 month	-	Awaiting order from High Court
May 2011	Adjourned to June 2011 to allow time to defendant to file copy of stay order	June 2011	1 month	-	Awaiting order from High Court
June 2011	Adjourned to July 2011 to allow time to defendant to file copy of stay order	July 2011	1 month	-	Awaiting order from High Court
July 2011	Adjourned to August 2011 to allow time to defendant to file copy of stay order	August 2011	1 month	-	Awaiting order from High Court
July 2011	Record put up by defendant	-	-	-	
August 2011	Defendant asks for stay of suit till CO 482/10 is disposed off. Apparently contradictory orders of High Court. Trial Court directs parties to approach High Court to get clarity on what should be done. Adjourned to September 2011	September 2011	1 month	-	Trial court advises parties to approach High Court
September 2011	Adjourned to September 2011 awaiting order of High Court	September 2011	-	-	Awaiting order from High Court
September 2011	Adjourned to December 2011 awaiting order of High Court	December 2011	3 months	-	Awaiting order from High Court
December 2011	Adjourned to May 2012 awaiting order of High Court	May 2012	5 months	-	Awaiting order from High Court
May 2012	Adjourned to August 2012 awaiting order of High Court	August 2012	3 months	-	Awaiting order from High Court
August 2012	Adjourned to February 2013 awaiting order of High Court	February 2013	6 months	-	Awaiting order from High Court
August 2012	High Court order received. Date of next hearing changed to September 2012	September 2012	1 month	-	
September 2012	Neither party appears. Adjourned to January 2013	January 2013	4 months	-	One or both parties absent
January 2013	Adjourned to February 2013 as neither party appears	February 2013	1 month	-	One or both parties absent
February 2013	Adjourned to February 2013 as neither party appears	February 2013	-	-	One or both parties absent

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February 2013	Adjourned to March 2013 as neither party appears	March 2013	1 month	-	One or both parties absent
March 2013	Adjourned to May 2013 as neither party appears	May 2013	2 months	-	One or both parties absent
May 2013/ August 2013	Adjourned to September 2013	September 2013	1 month	-	Show Cause asked from both parties
September 2013	Adjourned to March 2014	March 2014	6 months	-	Show Cause asked from both parties
March 2014	Plaintiff files response to show cause. Adjourned to June 2014	June 2014	3 months	-	Show Cause asked from defendant
April 2014	Unable to read order	-	-	-	
June 2014	Defendant files response to show cause. Judge makes a note that after March 2010, the case has not moved forward. Adjourned to July 2014	July 2014	1 month	-	Adjourned for further hearing
July 2014	Witness examined. Adjourned to August 2014	August 2014	1 month	-	Adjourned for further hearing
August 2014	Advocate for the defendant absent. Defendant asked by the court why the case should not proceed ex-parte. Adjourned to August 2014	August 2014	-	-	One or both parties absent
August 2014	Defendant absent. Presentation of witnesses by plaintiff completed. Since defendant is absent, the court treats the presentation of defense witnesses as closed. Adjourned to September 2014 for arguments	September 2014	1 month	-	Adjourned for further hearing
September 2014	Defendant requests adjournment saying that his lawyer is ill. Since plaintiff is supposed to begin argument and junior lawyer of defendant is present, the judge rejects the petition of the defendant. Defendant again asks for adjournment on the ground that he intends to file a petition to recall the order of August 2014. Defendant allowed to re-present his case as last chance. Fine imposed of	November 2014	2 months	-	Adjournment allowed on petition of defendant

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	Rs. 1000. Adjourned to November 2014				
November 2014	Adjourned to December 2014	December 2014	1 month	-	
December 2014	Order of the court closing cross examination of plaintiff witnesses and defendant witnesses recalled. Adjourned to January 2015 for cross examination	January 2015	1 month	-	Adjourned for further hearing
January 2015	Defendant asks for adjournment which is rejected. Cross examination of plaintiff witnesses closed. Adjourned to February 2015	February 2015	1 month	-	Adjourned for further hearing
February 2015	Defendant files fresh Vakalatnama. Requests adjournment. Adjournment allowed but as a last chance. Fine of Rs. 1500 imposed. Adjourned to March 2015	March 2015	1 month	-	Adjournment allowed on petition of defendant
March 2015	Defendant absent. Requests adjournment. Rejected. Presentation of Defense witnesses closed. Adjourned to April 2015	April 2015	1 month	-	Adjourned for further hearing
April 2015	Defendant files fresh Vakalatnama. Requests reopening cross examination of plaintiff witnesses, allowing of defense witnesses and adjournment. Request to reopen cross examination of plaintiff witnesses rejected. Presentation of defense witnesses allowed. Adjourned to May 2015 and fine of Rs. 1500 imposed.	May 2015	1 month	-	Adjourned for further hearing
May 2015	Adjourned to June 2015	June 2015	1 month	-	
June 2015	Presentation of defense witnesses. Cross examination of defense witnesses. Adjourned to July 2015	July 2015	1 month	-	Adjourned for further hearing
July 2015	Cross examination of defense witnesses completed. Adjourned to July 2015	July 2015	-	-	Adjourned for further hearing
July 2015	Defense witnesses closed. Adjourned to August 2015	August 2015	1 month	-	Adjourned for further hearing

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August 2015	Arguments presented. Adjourned to September 2015	September 2015	1 month	-	Adjourned for further hearing
September 2015	Arguments presented. Adjourned to November 2015	November 2015	2 months	-	Adjourned for further hearing
November 2015	Plaintiff absent. Adjourned to December 2015	December 2015	1 month	-	One or both parties absent
December 2015	Adjourned to January 2016	January 2016	1 month	-	
January 2016	Adjourned to January 2016	January 2016	-	-	
January 2016	Adjourned to February 2016	February 2016	1 month	-	
February 2016	Adjourned to February 2016	February 2016	-	-	
February 2016	Adjourned to March 2016 for judgement	March 2016	1 month	-	Adjourned for passing judgement
March 2016	Adjourned to April 2016	April 2016	1 month	-	Adjourned for passing judgement
April 2016	Adjourned to May 2016	May 2016	1 month	-	Adjourned for passing judgement
May 2016	Adjourned to May 2016	May 2016	-	-	Adjourned for passing judgement
May 2016	Judgement delivered	-	-	-	

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	27	30 months
2	Presiding officer busy	1	1 month
3	Presiding officer on leave	2	5 months
4	Request by defendant	15	26 months
5	Request by plaintiff	1	2 months
6	Both parties absent	9	12 months
7	Defendant absent	2	-
8	Plaintiff absent	1	1 month
9	Awaiting order/instructions from High Court	16	29 months
10	Scheduling error	1	2 months
11	Adjourned for passing judgement	4	3 months

APPENDIX 2: Cases from 1 to 39

Case No.1

Sl. No.		
1.	Nature or type of suit	Case No. T.S 243 of 1982
2.	Filed on	26.5.1982
3.	Filed in which court	District court Alipore
4.	When it was initiated	27.1.1983
5.	When was the act of judgement	9.3.93
6	How much time	10
7.	What was the result	Dismissed on non prosecution
8.	Filed by	Plaintiff : Renuka Bala Mondal Defendant : Sri Gandhi Govardhan

26.5.1982

The plaint is filed today Registration of the plaintiff is done and summons issued upon the defendant both by court and by registered post with A/D fixing 13.7.82 for appearance and contesting purpose. Postal receipt to be filed by the date fixed.

13.7.1982

Plaintiff files no hazira and summon is returned along with registered return and summon. The next date was fixed for 19.8.1982

19.8.1982

Plaintiff files hazira with postal receipt for regd. Return and summon. The next date fixed is 22.12.1982

22.12.1982

The return of summon included and sent to Defendant appears by a power along with a prayer petition for time to file the written statement along with exhibit. Time is allowed till 27.1.83.

27.1.1983

Plaintiff files hazira . Another time petition is filed by the defendant to file the written statement. Copy is sent and time petition is filed for objection filing. The next date is 28.2.1983

28.2.1983

Plaintiff files a petition praying for more time to take steps let it be in the records as well. Defendant is also asking for time to file written statement. Copy is served for objection and time is also allowed till 16.3.1983. Adjournment cost of Rs. 2.

16.3.1983

Plaintiff files a hazira. Defendant files a petition praying for time to file written statement . Copy not served , thus time is allowed till 19.4.83. The adjournment cost is of Rs. 4

19.4.1983

Plaintiff files hazira. Defendant files petition praying for time to file written statement. Copy served for objection. Time is allowed till 19.5.1983 for written statement. Adjournment cost of Rs. 6

19.5.1983

Plaintiff files hazira. Defendant files petition praying for time to file written statement. Copy served for objection. Time is allowed till 17.6.1983 for written statement and as last chance. Adjournment cost of Rs. 8.

17.6.83

Plaintiff files hazira. Defendant files petition praying for time to file written statement. Copy served for objection. Time is allowed till 27.7.83 for written statement for ends of justice. Adjournment cost of Rs. 10.

27.7.83

Defendant files appeal directing the plaintiff to produce documents . Copy is to be served for objection . The time prayer is allowed for plaintiff to produce documents by 12.7.83

13.7.83

The date fixed is declared for holiday. It is put up to date for orders. Next date to fix for producing documents is 18.8.83

27.7.83

Plaintiff files hazira . Defendant files petition praying for time to file written statement. Copy served for objection. Time is allowed till 30.8.83 for written statement for ends of justice.

18.8.1983

Defendant files hazira. Plaintiff files a petition praying for time to produce documents. Copy is served for objection. Time is allowed till 20.9.83 to produce documents.

30.8.1983

Plaintiff files hazira . Defendant files petition praying for time to file written statement. Copy served for objection. Time is allowed till 30.10.83 for written statement for ends of justice.

20.9.83

Defendant files hazira . Plaintiff files petition praying for time to produce documents. Copy served and time is allowed till 18.11.83 for producing documents.

3.10.1983

Plaintiff files hazira . Defendant files petition praying for time to file written statement. Copy served for objection. Time is allowed till 2.12.83 for written statement for ends of justice.

18.11.83

Defendant files hazira . Plaintiff files petition praying for time to produce documents. Copy served for objection. Time is allowed till 2.1.84 for producing documents.

2.12.1983

Plaintiff takes no steps while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 3.1. 1984 for written statement for the ends of justice.

2.1.1984

No steps are taken Plaintiff is to showcause by 10.2.1984 as to why the suit shall be considered as defaulter.

13.1.1984

Plaintiff takes no steps while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 20.2. 1984 for written statement for the ends of justice.

10.2.1984

Present Mdk .R. Ahmed

Defendant files hazira. Plaintiff neither files howcause nor takes any steps. To fix date for 20.2.84.

20.2.84

Plaintiff files hazira Plaintiff also files appeal dated 10.2.84 showing cause of delay. It is being put up on this day for orders. The delay has been condoned and 13.3.84 has been given for filing written statement.

13.3.84

Plaintiff takes no steps while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 16.4. 1984 for written statement for written statement. Court has been adjourned to 5.4.1984 for producing documents.

Date mentioned as later

Defendant also files a petition praying for verifying the plaints. Copy is served for obejection and the next date filed fot hearing is 7.5.87

5.4.84

Defendant files hazira. Plaintiff files a appeal praying for time to produce documents. Copy served for objection. Time is allowed till 16.4.84 for producing documents as last chance.

16.4.84

Plaintiff files for hazira while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 8.5.84 for written statement for the ends of justice.

2.5.84

Plaintiff files hazira. Plaintiff files a appeal praying for time to produce documents. Copy served for objection. Time is allowed till 16.4.84 for producing documents as last chance. Rejected , hence the petition stands inspected. Plaintiff is to showcause . By 16.6.84 as why the suit shall not be dismissed for default.

7.5.84

Defendant files hazira. Plaintiff files appeal praying for time for adj. Of hearing. Copy served for objection . Learned court considered the prayer to be allowed. Thus 15.6.84 for hearing the petition dated 13.3.84

18.5.84

Plaintiff takes no steps . Defendant has failed to file written statement. To fix 15.6.84 for order.

The date has been called later

After the above order has been passed . Defendant puts a petition at 4pm praying for time to file written statement . the copy is served for objection. Time is allowed till 15.6.84 for written statement.

15.6.84

Plaintiff and defendant files for hazira. Today is fixed for hearing the petition dated 13.3.84. Plaintiff also files documents showing cause of delay . Learned court showing cause to be accepted for filing written statement. On 10.7.84

The date has been called later

Defendant also files appeal praying for time to fill written statement . Copy is served for objection. Time is allowed till the date

10.7.84

Plaintiff takes no steps . Defendant files appeal praying for time to file written statement . Copy is served for objection. Time is allowed till 8.8.84. Adj. Cost Rs. 2

8.8.84

Plaintiff files for hazira while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 10.9.84 for written statement for the ends of justice. Adj. cost Rs. 4

10.9.84

Plaintiff files for hazira while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 9.11.84 for written statement . Adj. Cost Rs. 6

9.11.84

Plaintiff files for hazira while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 11.12.84 for written statement for the ends of justice. Adj. Cost rs. 8

11.12.84

Plaintiff files for hazira while the defendant files an appeal praying for time to file written statement. Copy served for objection. Time is allowed till 9.1.85 for written statement for the ends of justice. Adj. Cost Rs. 10

9.1.85

Plaintiff files for hazira while the defendant files written statement. Copy served for objection. Defendant to pay costs by 7.2.85 for acceptance written statement .

7.2.85

Plaintiff files for hazira while the defendant files appeal praying for time to pay costs. Time is allowed till 1.3.85 Defendant to pay costs by 7.2.85 for payment of costs.

1.3.85

Plaintiff files for hazira while the defendant files appeal praying for time to pay costs. Time is allowed till 9.4.85 Defendant to pay costs by 7.2.85 for payment of costs.

9.4.85

Plaintiff files for hazira while the defendant files appeal praying for time to pay costs. Time is allowed till 1.3.85 Defendant to pay costs by 6.5.85 for payment of costs.

6.5.85

Parties files hazira sots of Rs. 30 paid. Defendant to pay balance cost of Rs. 2 by 3.6.85

3.6.85

Parties file hazira . Cost of Rs. 2 paid . The written statement is accepted. To fix 19.8.85 for framing of issues.

19.8.85

Parties file hazira . No time today . To fix 28.1.86 for framing of issues.

28.1.86

Parties file hazira . Presiding officer is busy with work . To fix 4.6.86 for framing of issues.

4.6.86

Handwriting not legible.

17.6.86

Parties files petition praying for getting back the documents as stated in the petition copy served with objection. This prayer is considered and allowed. Let the documents be returned on condition to refill the same is required.

4.8.86

Defandent file hazira. To fix 30.8 86 for petition hearing

30.8.86

To 5.11.86 for petition hearing

5.11.86

Parties file a joint petition praying for time for petition hearing on the ground of compromise . Ltd court considered and the prayer is allowed . Thus to fix 17.12.86 for compromise between defandent and plaintiff on petition hearing (vile order on petition)

17.12.86

Parties file hazira. Parties also file a joint petition praying for time for petition hearing. Learned court considered . Prayer is allowed and 25.2.87 has been fixed for petition hearing.

25.2.87

Parties file hazira. Parties also file a joint petition praying for time for petition hearing. Learned court considered . Prayer is allowed and 28.4.87 has been fixed for petition hearing.

16.3.87

On plaintiff's prayer, summons are issued to cited witnesses .

28.4.87

Defendant file hazira. Plaintiff file a petition praying for time for petition hearing. Learned court considered . Prayer is allowed with cost of Rs. 5 as last chance vile of order. Next date for hearing is 14.7.87

14.7.87

Defendant file hazira. Plaintiff file a petition praying for time for petition hearing. Learned court considered . Prayer is allowed with cost of Rs. 5 as last chance (vile of order). To fix 26.10.87 for petition hearing.

26.8.87

The plaintiff files a petition supported by an affidavit praying for call for the record T.S. 70-71 of this court which was disposed on 17.8.78 and transmitted to the DRR alipore.

The judgements and decree of this record (TS 70-71) ALREADY BEEN FILED BY THE PLAINTIFF. The prayer to call for this record has been allowed . C/C of this judgement and decree be kept in the record.

26.10.87

Parties file hazira. Plaintiff file a petition praying for time for petition hearing. Learned court considered. Prayer is allowed . To fix 13.1.88 for petition hearing.

3.11.87

On the prayer of the plaintiff, issue of the summons to the cited witness by regd. Post with A/D . To date (13.1.87) for return of summon, appearance and evidence

The date is termed as later

The plaintiff files a verified petition praying for called for the record in L.R Appeal no 298/75 and 299/76 of the record room in charge of the S.D.O , located at Diamond Harbour Road which was disposed of 20.1.77. C/c of the order sheet already been filed. The prayer is considered and allowed. The call for the record is done according.

13.1.88

Parties files hazira . Presiding officer is under order of transfer. Case is adjourned. To fix 5.4. 88 for petition hearing.

Present- B.d Nanda

Parties file hazira. Defendant files 3 separate petitions . 1 for time for petition hearing 2. For referring the matter under section 21 (3) WBLR act 3. For framing additional issue copy served.

Ltd considered prayer for time is allowed and to fix 7.6.88 for hearing the petition under section 21(3), issue and petition hearing.

7.6.88

Parties file hazira. Plaintiff files an objection against w/s 21(3) of WBLR Act , copy served , Defendant files a petition for time for petition hearing and copy is served.

Ltd court has considered and prayer is allowed. Thus to fix 14.7.88 for hearing the petition at 5.488 for additional issue. Thus to fix 22.7.88 for petition hearing.

22.7.88

Parties file hazira. Parties also file a joint petition praying for time for petition hearing. Learned court considered . Prayer is allowed and 22.7.88 has been fixed for petition hearing.

22.7.88

Parties file hazira. Defendant files additional written statement along with petition for permission for copy served. Defendant files petition for time for petition hearing. Copy is served. Ltd considered and prayer is allowed. To fix 13.9.88 for petition hearing and 25.8.88 for additional written statement.

25.8.88

Parties file hazira. To fix 13.9 for hearing the petition dated 5.4.88 and hearing additional written statement.

13.9.88

The parties file haziras. The defendant files petition praying for time for adj. On the ground as stated in copy served. This prayer is considered and allowed. To fix 6.12 for hearing the petition dated 5.4.88 and hearing additional written statement. And petition hearing.

6.12.88

Parties file hazira and additional w.s is called up for hearing dated 22.7.88. Ltd court and the learned lawyer or both sides. Let the additional written statement be accepted with cost Rs. 10 (v.o.p). Defendant also prays for time for petition hearing . Ltd considered prayer and allowed. To fix 7.2. 89 for petition hearing and additional petition dated 5.4.88

7.2.89

Parties file hazira , as per acceptance of additional written statement dated 6.12.88 , the necessary additional issue is framed.

Deft. Files petition for time for petition hearing. Ltd considered and allowed . To fix 10.4.89 for petition hearing and additional petition dated 5.4.88

10.4.89

Parties file hazira. Parties files a joint petition praying for time for petition hearing. Ltd considered and allowed. To fix 15.5. 89 for petition hearing and additional petition dated 5.4.88

15.5.89

Parties file hazira . Deft files a petition for time for petition hearing along with a petition for taken off the suit . Copy is served .

Ltd considered and allowed . To fix 22.4.89 for petition hearing and additional petition dated 5.4.88

23.04.89

Deft files hazira. Presiding officer is on leave. To fix 18.6.90 for hearing the petition dated 5.4.88

18.6.90

Parties file hazira. To fix 16.1.91 for hearing the petition dated 5.4.88

16.1.91

Parties file hazira. The petition dated 5.4.88 filed by the fedt is taken up for hearing. Ltd , the learned lawyer heard both sides. To fix 3.6.91 for order

3.6.91

The record is put up today for hearing with reference to B.C.O for his decision regarding dispute , whether the petition be allowed regarding the disputed land.

As both the parties have contested and filed written objections , that the matter has already been decided earlier and there is no further reference.

The sheets of L.R appeal no. 298 and 299 that also in the matter decided by the B.C.O and the appeal the same was given for compromise,also in the 1978 , v.o.p- 469. As the matter has already been decided by the compelling court . Thus the petition be rejected on content with costs , thus the petition is disposed and to fix 20.7.91 , SDPH (settling date for peremton hearing)

20.7.91

Present A- Choudhury

To fix SDPH

24.8.91

To fix 12.11.91 for petition hearing

12.11.91

Deft takes no steps. Plaintiff files a petition for time for petition hearing . Copy served Ltd considered and prayer is allowed. To fix 29.1.92 for petition hearing and no further time allowed.

10.1.92

Plaintiff puts a petition before the learned court for issuing of summons upon the witness through the court and at the risk of the party. The prayer is considered and issues the same.

29.1.92

Plaintiff files for hazira while the defendant files an appeal praying for time for petition hearing and copy served. Ltd considered and prayer is allowed. To fix 14.2.92 for petition hearing and no further time allowed either side.

14.2.92

Parties file joint petition for time for petition hearing. Ltd considered and prayer is allowed. To fix 9.3.92 for petition hearing or compromise.

9.3.92

Parties file a joint petition praying for the dismiss of the suit with non prosecution. Ltd the learned lawyer heard for both sides The petition is allowed . Hence the suit is allowed to be dismissed for non prosecution.

1.4.92

Plaintiff files petition to get back the documents. The prayer is considered and let the documents be returned as prayer for on proper receipt on condition to refile the same as called for.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	13	18
2	Presiding officer busy	-	-
3	Presiding officer on transfer order	1	3
3	Presiding officer on leave	1	7
4	Request by defendant	30	42 months
5	Request by plaintiff	11	15 months
6	Both parties absent	1	1
7	Defendant absent	2	1 month
8	Plaintiff absent	-	-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	1	1 months
11	Adjourned for passing judgement	-	-

Case No.2

Sl. No.		
1.	Nature or type of suit	Case No. T.S 243 of 1982
2.	Filed on	27.8.94
3.	Filed in which court	District court Alipore
4.	When it was initiated	31.1.85
5.	When was the act of judgement	30.1.92
6.	How much time	8
7.	What was the result	Dismissed on contest and no appeal filed.
8.	Filed by	Plaintiff: Shyamal Halder and others Defendant: State of West Bengal and others

27.8.84

The case is registered in the court and plaintiff has filed a petition that is received on 28.8.84 for order.

28.8.84

Record is put up today for order. The petition is seen based on rule 8. Heard the plaintiff's lawyer and the petition is allowed. The plaintiff's are permitted to file the suit as prayer for the plaintiff's are dimeted to give notice to the opposition party by mode of advertisement to local newspaper and wait till 31.10.84 for return and order.

22.9.94

Received notice by defendents

31.1.85

Petitioner filed hazira for return of summon

25.3.85

Plaintiff takes no steps

26.4.85

He is to showcase as to why the suit shall not be dismissed for defaulter

Plaintiff files adjournment showing cause of delay. The delay be subjected to summons not issued. Issue the same fixing date for 31.7.85 for return and order.

31.7.85

Plaintiff filed hazira with postal receipts . To fix 9.1.86 for returns of summon and registered returns.

9.1.86

Plaintiff filed hazira. Defendant (State) files adjournment , praying for time for written statement. Time will be allowed till 5.3.86 for written statement and to date for returns of summons.

25.5.86

Handwritting not legible

17.6.86

Plaintiff files hazira. Defendant files a petition praying for time. Prayer is accepted and written statemtn must be filed by 20.8.86

20.8.86

Plaintiff filed hazira. The presiding officer is on leave. Defendant (state) files a petition asking for time for written statement . Prayer is allowed . Given 21.11.86 for written statement.

21.11.86

Plaintiff file hazira. Defendant file a petition praying for time for written statement. Presiding officer is on leave. Prayer is accepted 19.2.87.has been given for written statement.

19.2.87

Plaintiff filed hazira. Defendant files petition praying for time to give written statement. Prayer is allowed as a last chance. Given 22.6.87 for written statement.

22.6.87

Plaintiff filed hazira. Defendant and another Performa defendent files petition praying for time to give written statement. Prayer is rejected . Given 19.1.88 for exparte hearing.

19.1.88

Plaintiff files hazira.Defendant (state) files 3 separate petition praying for time for exparte hearing but it appears from the record that the legal hei of the deceased plaintiff no.-20 appears and files a petition dated 3.7.87 praying for substitution as the plaintiff no.- 20 died on 9.4.87. The copy is served . So exparte hearing need to be heard at that stage.

To fix 28.3.88 for hearing the petition dated 3.7.87 without objection if any in the meantime. Defendant's petition be kept in records.

23.3.88

Present B.D.Nanda

Parties file hazira. Petitioner filed a petition for time for hearing . Case is adjourned due to death of a member of local bar. To fix 27.6.88 for hearing the petition dated 3.7.87

27.6.88

Plaintiff files hazira. Presiding officer is on leave . To fix 11.10.88 for hearing the petition dated 3.7.87

11.10.88

Parties file hazira. To fix 28.3.88 for hearing the petition dated 3.7.87

28.3.89

Plaintiff file hazira. Defendant filed a petition for time for hearing . Learned considered, prayer is accepted. To fix 8.8.89 for hearing of petition dated 3.7.87.

11.4.89

Record is put up . Mahadev halder and others appear by power and files a petition dated 7.4.89 praying for substitute themselves as the legal heir of deceased plaintiff-14. Copy served . Plaintiff also files petition or shifting the date of the hearing . The learned lawyer has appeared for plaintiff . Both the petitions dated 3.7.89 and 7.4.89 is taken up for hearing . Petition is within time to fix for exparte heaing.

8.8.89

Plaintiff files a petition or time for exparte hearing . ltd court has considered . Prayer is allowed for exparte hearing for 25.1.90.

25.1.90

Plaintiff filed hazira. Defendant (state) files 3 separate petitions for vacating the exparte hearing . Copy is served . Ltd considered cause shown . Exp order be vacated subjected to the filing of written statement. To fix 10.5.90 for written statement.

10.5.90

Plaintiff files hazira. Defendant (state) files a petition for time for written statement . Prayer is allowed . To fix 8.8.90 for written statement.

8.8.90

Plaintiff files hazira. Def. (State) files a petition for time for written statement . prayer is allowed . To fix 4.9.90 for written statement.

4.9.90

Plaintiff files hazira. Def. (State) files a petition for time for written statement . prayer is allowed . To fix 14.3.91 for written statement.

25.2.91

Defendant no.1 , state of west Bengal files written statement . Let it be kept with the record and fill up a date fixed (14.3.91). Plaintiff files hazira. Def (state) files written statement dated 25.2.91 is put up today and exparte order be vacated . To fix 21.3.91 for issue.

21.3.91

Parties file hazira . Issue framed and signed this . To fix 10.4 .91 for petition hearing.

10.4.91

Hazira filed by two parties . Plaintiff files a petition dated 26.3.91 praying for adding themselves as additional . Defendant is put up today. Ltd accepted the petition , was asked to register accordingly. Plaintiff files a petition for time for petition hearing . Copy served . Ltd considered prayer. To fix 24.5 for petition hearing and 2.5.91 for written statement.

2.5.91

Plaintiff files hazira. Proforma Def. (State) files a petition for time for written statement . prayer is allowed . To fix 4.9.91 for written statement.

24.5.91

Parties took no steps. As per resolution of local bar , case is adjourned. To fix 10.7 for petition hearing.

10.7.91

Plaintiff files hazira. Def. (State) files a petition for time for written statement . prayer is allowed . To fix 29.8.90 for written statement.

29.8.91

Parties file hazira. The case is taken up for petition hearing. Petition no.1 examine to be continued. At this stage petition prayer time is accepted . To fix 29.11.91 for final.

19.11.91

Plaintiff files a petition for issuance of summons at his own risk.

22.11.91

Parties file hazira. The case is taken up for petition hearing. Petition no.1 examine to be continued. At this stage petition prayer time is accepted . To fix 29.11.91 for final.

30.11.91

29th being bandh. The record is put up today.

9.12.91

Defandent (state) and pro. Defandent files hazira. Pro. Defendant file petition for time for petition hearing. Ltd considered prayer . To fix 2.1.92 for final.

19.12.91

Plaintiff file petition along with power and praying for substituting the legal heir of the deceased person. Petition no.3, Atul Halder who died on 25.11.91 as stated in the petition . Copy served objected to .Petition kept in record and put up on date fixed for 2.1.92

2.1.92

Parties files hazira. Plaintiff's petition dated 19.12.91 praying for substitution as the plaintiff no. 31 died on 25.11.91 is put up today.Ltd considered . Petition is within time. Let the legal heirs of the deceased plaintiff no.31 be substituted . Plaintiff register case for evidence now. Plaintiff no.1 cross examined in full and discharged documents , marked exhibits along with the documents Plaintiff's prayer time is accepted . To fix 7.1.92 for final evidence.

7.1.92

Parties file hazira. The case is taken up for further evidence. Plaintiff no-2 examined in full and discharged.

Plaintiff no-3 examined in full and discharged.

Plaintiff no-4 examined in full and discharged.

Documents marked exhibit 3,4,5 on proof and exhibit 6,7,8 on final proof waived. Defendant prays time and to fix 10.1.92 for final evidence.

10.1.92

Plaintiff and pro. Defendant files hazira . The case is taken up for further evidence. Defendant no.1 examined in full and discharged . It was already 4.40pm thus further hearing will take place on 15.1.92

Parties file hazira. The case is taken up for further evidence.

Defendant no.1 examined in full and discharged . At this stage defendant prayer time is accepted

17.1.92 ,It is fixed for final evidence. Plaintiff no- 32 files an affidavit that he did not sign the plaint and vakalatnama be kept with the record.

17.1.92

Parties file hazira. Case is taken up for further evidence , Defendant no.- 3 examined and discharged, Defendant no. 4 examined in full and discharged. Evidence closed for defendant (state) , Defendant (State) , not bring any witness. Parties prays time. To fix 22.1.92 for argument.

22.1.92

Parties file hazira. Plaintiff files objection against petitioner dated 15.1.92 and affidavit at 10.1.92. Copy to be served . Let the petition be kept with the record.

30.1.92

Judgement deleivered before the open court . That the suit be and the same is dismissed on contest. With costs as per judgement kept in separate sheets with the record.

11.2.92

Decree is prepared , sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	3	8m
2	Presiding officer busy	-	-
3	Presiding officer on transfer order	-	-
3	Presiding officer on leave	3	8m
4	Request by defendant	13	43m,1,1
5	Request by plaintiff	4	10m
6	Both parties absent	-	-
7	Defendant absent	-	-
8	Plaintiff absent	-	-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	2	3 months
11	Adjourned for passing judgement	-	-

Case No. 3

Sl. No.		
1.	Nature or type of suit	Case No. T.S 118 of 85
2.	Filed on	3.4.85
3.	Filed in which court	District court Alipore
4.	When it was initiated	9.9.85
5.	When was the act of judgement	27.3.92
6	How much time	7
7.	What was the result	Dismissed on contest and ex parte on others
8.	Filed by	Plaintiff : Gour Chandra Halder Defendent: Ekadashi Halder

3.4.85

The petition has been registered and issuance of summons by the court and by registered post, timings fixed on 9.5.85 for approval and consenting to the formal receipt which has been filed within a week. The plaintiff has filed this case on the grounds of the possession of property. Plaintiff is in the eastern portion of the said property and defendant on the western portion. The suit property was not partitioned between the parties and the defendant refused to make partition , thus the cause of the suit. The defendant 1,2,4 appeared in the suit and contested the same by filing a joint written statement. It is denied that the suit is maintainable and banned by limitation.

9.5.85

Plaintiff files hazira with postal receipt for registered returns and summons.

2.8.85

Plaintiff files hazira. Return of registered summon received served and services are satisfactory. Defendant did not appeal , to fix 9.9.85 for ex parte hearing.

9.9.85

Plaintiff files hazira and defendant 1 and 2 file three petitions one for showing cause of delay and then for vacating ex parte order and the other one for filing written statement. Copy served for objection. Thus the learned is satisfied with the show cause explaining the delay , hence the ex parte order will be vacated by the payment of cost of Rs. 8. Thus to fix 10.10.85 for payment of costs and filing written statement. The Learned case will be heard ex parte.

10.10.85

Plaintiff files hazira. Defendant files appeal for time to file written statement. Hence the petition stands rejected. The next date fixed for ex parte order is 5.3.86

5.3.86

The plaintiff files Hazira. The defendant 1,2 and 4 appear in person and file written statement along with two petitions , showing cause of delay and vacating exparte . The said order on exparte has been vacated on the payment of cost of rs. 5 and next date which is fixed for hearing is 22.4.86

2.4.86

The plaintiff file a petition praying for filing of petition for exparte for delay. The next date fixed for hearing the defendant 1,2 and 4 is fixed.

9.4.86

The plaintiff files a petition praying for issuing an adjournment petition against the defendant no. 3,5 to 11 .

Pending adj petition , affidavit, and issue notices upon the defendants no. 3,5 to 11 directing them to show cause within 10 days within the recievi9ng of notices and why ends of justice shall not be granted.

Meanwhile in view of the urgency of the matter , plaintiff and defendant 3, 5 to 11 are directed to maintain status over the suit property . They are further directed that not to change the nature and character of the suit property and not to make any construction , till further order. This order will remain in force upto 30 days from the date. Issue of requisites at once. To fix 22,4.86 for return and order.

10.4.86

The plaintiff files affidavit for compliance of order 8 and the petition be kept with the record.

22.4.86

The plaintiff files hazira To fix 3.7.86 for next hearing.

Later on the same day

The defendant files adjournment against the matter. Copy served and prayer accepted. To fix 22.6.86 accpeted.

6.5.86

The plaintiff files a petition praying for extension of adjournement with appropriate petition . Put up when moved.

26.6.86

Petition file hazira . Defendant file a petition praying for time for hearing . Copy served and prayer is accepted. To file 23.9.86 for return and order.

3.7.86

Parties file hazira. To fix 1.9.86 for return and order

1.9.86

Parties file hazira and next date 23.12.86 for return and order.

23.9.86

Parties file hazira . The injunction matter is taken up for hearing. Perused the injunction petition and records. Hence it is ordered. On consent of both parties are directed to maintain status quo as well as nature and character of the suit land as on today till disposal of the suit. The the injunction petition is deposed of accordingly.

23.12.86

Parties file hazira. Acknowledgement already on record but the written statement filed by the defendant 1,2 and 4 on 5.3.86 not yet accepted due to non payment of cost ,Rs. 13. To fix 12.2.87 for payment of cost by defendant and acceptance of written statement.

12.2.87

Parties file hazira, cost of Rs. 13 paid as per receipt . Thus the written statement has been accepted. To fix 8.5.87 for framing of issues.

3.5.87

Parties file hazira. Presiding officer is engaged in TS – 70/80. Case is adjourned . To fix 19.8.87 for framing issue.

19.8.87

Parties file hazira. Presiding officer is on leave. To fix 19.1.88 for framing issue.

19.1.88

Parties file hazira. To fix 23.5.88 for framing issue

23.5.88

Present B.D. Nanda

Parties file hazira. To fix 22.11.88 for framing issue.

30.8.88

The plaintiff files a petition praying for substitution on the ground as stated therein. Copy served and objected to. To fix 28.11.88 for hearing of substitute petition , without objection if any in the meantime.

22.11.88

Parties file hazira. To fix 03.5.89 for framing issue.

28.11.88

Plaintiff files hazira. Defendant took no steps. The petition dated 30.8.88 is taken up for hearing. Learned curt heard the learned lawyer for the plaintiff's petition , which is within time. Hence the petition is allowed. Let the legal heir of the deceased defendant -1 be substituted. Hence the plaint and registered accordingly. To fix 3.5.89 for steps by plaintiff.

3.5.89

Petition files requisite. Issue summons through court fixing. To fix 1.11.89 for return.

1.11.89

Plaintiff files hazira with postal receipt. To fix 18.4. 90 for action

Later on that day

Defendant appear by power and file a petition be put up on the date fixed.

20.3.90

Record is put up by petition . Plaintiff-1 files a petition praying for electrical line. Copy is served. To fix 24.4.90 for hearing of petition dated 20.3.90 , written objection in the meantime.

18.4.90

Parties file hazira. To fix 30.11.90 for acknowledgement

24.4.90

Parties file hazira. Defendant files an objection against permission petition. Copy is served, defendant files a petition for time for hearing. Copy is served.

Learned court has considered. Prayer is allowed . To fix 23.5 for hearing the petition dated 23.3.90 and steps by petitioner upon defendant 1.

23.5.90

Parties file hazira . To fix 22.7.90 for hearing the petition dated 20.3.90 . Plaintiff also files pre-requisite . Issue summons through registered post fixing 30.10.90 for acknowledgement.

23.7.90

Parties file hazira. The petition dated 20.3.90 is taken up or hearing in presence of both parties , while the petitioner prays for allowing his prayer for taking electric line in his possessed premises establishing that he would take away the same at his own , if the said premises not allowed to him after receiving the petition and it was further stated that if not not it will be too hard for petitioner to get the electric line again.

The deft o.p contesting the petition by filing written objection later and the said contents can give rise to further complications . Thats why this petition was rejected. But later the learned court also finds out that electric line is important as it is difficult and costly to get but is important as well. Thus the petition dated 20.3.90 , be allowed on contest to cost.

30.10.90

Defendant files hazira . Plaintiff files hazira but proper steps have not been taken against deft. Hence the name of 1 be mentioned. To fix 11.4.91 for issue.

30.11.90

Parties file hazira. To fix 11.4.91 for issue.

30.2.91

Record is put up by petition . Plaintiff files a petition dated 19.2.91 praying for local inspection . Copy servd. Learned considered , perused the petition and the record. The petition is allowed. Plaintiff is directed to deposit rs 80 promised as commission fee at once.

Subsequently plaintiff files a petition for depositing commission fee at his hand. Prayer is allowed. Receipt filed . Let Pulak Manna advocate be appointed committee or holding local inspection. He is to go to the locality after ue service of the notice to the parties through their authorised lawyer and hold committee work as per points in the petition. He is to submit his report by 10 days.

2.3.91

The writ is prepared sealed and signed this day.

11.4.91

Parties file hazira. To 19.9.91 for framing issue.

10.9.91

Present A. Choudhury

Parties file hazira. Issue framed and signed this day. To fix 30.11.91 for discovery.

30.11.91

To fix 14.12.91 for SDPH

14.12.91

To fix 25.1.92 FOR sdph

25.1.92

To fix 27.2.92 for petition hearing

25.2.92

On plaintiff's prayer , issue summons upon witness at the risk of the party.

27.2.92

Parties file hazira. Defendant files a petition for time for petition hearing..Copy served. Leaned considered. Prayer is accepted and to fix 16.3.92 for petition hearing.

5.3.92

The defendant files a petition praying for repairing of the room on the ground stated there. Copy is served. Let it be kept with the record and putup on the date fixed.

16.3.92

Parties file hazira. Defendant petition dated 5.3.92 inputs up today , subsequently the petition also not pressed . Hence the petition is rejected. The case is aken up for petition hearing. Plaintiff no.1, Gour Halder examined in full and discharged . Evidence closed for plaintiff.

Defendant no-1 ,Sukesh Ch. Halder examined in full and discharged .

Defendant no-2 ,Surja Kanta Mondal examined in full and discharged .

Defendant no-3 ,Mani Mohan Halder examined in full and discharged .

Documents with exhibit have been seen , Parties prays time.To fix 19.3.92 for argument.

19.3.92

Parties file hazira . Arguments heard in full in the presence of both the sides. To fix 25.3.92 for judgement.

25.3.92

Judgement not yet ready. To fix 27.3.92 for delivery of judgement.

27.3.92

Judgement delivered in open court in presence of both sides. That the suit be and the same be dismissed on contest against deft 1,2, and 4 and exparte against the rest as per judgement kept in 4 separate sheets with the record.

7.8.93

The record is put up today for order. The decree is sealed and signed today.

19.12.96

Defendant files a verified petition praying for getting back the documents on the ground stated in the petition . Prayer is rejected at this stage.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	1	1
2	Presiding officer busy	1	3
3	Presiding officer on transfer order	-	-
3	Presiding officer on leave	1	4
4	Request by defendant	7	13
5	Request by plaintiff	3	5
6	Both parties absent	-	-
7	Defendant absent	1	1
8	Plaintiff absent	-	-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	1	1 months
11	Adjourned for passing judgement	-	-

Case No.4

Sl. No.		
1.	Nature or type of suit	3 of 89 (Started with 69/87, then the room was changed and it became 4/88), Class II
2.	Filed on	23.7.87
3.	Filed in which court	District court Alipore
4.	When it was initiated	11.9.87
5.	When was the act of judgement	6.8. 94
6.	How much time	7
7.	What was the result	The suit is decreed on contest
8.	Filed by	Plaintiff: Mrinal Kanti Ghosh Defendant: Charubala Dey Khan

23.7.87

Plaintiff puts in a petition praying for being exempted from filing a dvalorem court fee. It is stated that there was no caveat entered in respect of the estate left by the testator and objection was filed after citation whereby the case became contentious. Considered. It is being stated that the probate of the said will and testament of the deceased above named be granted to the plaintiff as the sole executor named therein to have effect throughout the whole of the union of India without security in terms of the will and costs of this application to come out of the estate of the deceased. Thus the defendant states in his petition that the alleged will is not maintainable and the alleged will is a product of colossal fraud.

Thus the summons are issued upon the defendant fixing 11.9.87 for return and appearance.

11.9.87

Plaintiff files hazira. Service return is not received . Defendant did not appear. Time allowed 2.12.87 for filing written statement.

2.12.87

Plaintiff files hazira , summons served. On the prayer of deft no.1 , time is allowed till 3.2.88 for filinf written statement.

3.2.88

Plaintiff files hazira. On the prayer of the defendant time is allowed till 17.3.88

17.3.88

Plaintiff files hazira. Deft again prays for time to file written statement . Sufficient time has been granted . Time is allowed till 2.5.88 for filing written statement.

2.5.88

Plaintiff files hazira. Deft not files w.s and a petition under section 11 of 14 cpc. The w.s be accepted. Copies be served by 20.5.88

The room got changed , thus the order no. Also changed. O.S 4/88

20.5.88

Record received by transfer from the court of the learned district judge for disposal. Put up on the date fixed.

Some date in the same month (page torn)

Plaintiff files hazira. Defendant file no hazira. Copy not yet served , Plaintiff is directed to serve copies by 23.6.88

23.6.88

Present sri s.k Bhattaharya

Parties file hazira. Copy of the petition is served to plaintiff who is to file written objection by 6.7.88

6.7.88

Defendant files hazira. The plaintiff filed no objection . Fix 29.7.88 for hearing of the petition dated 2.5.88

29.7.88

Plaintiff files a petition praying for adjourning the hearing u/s 11 dated 2.5.88 on the ground as stated in the petition. Prayer accepted , next date 16.8.88

16.8.88

Advocates remain absent as per resolution as the local bar. In the circumstances let the hearing of the suit be adjourned to 8.9.88

8.9.88

Deft files hazira. Plaintiff files a petition for adjournment , copy served and no objection. Perused and prayer accepted. Adjournment hearing of the suit.

5.10.88

Parties take no steps. Ld. Advocate doesnot appear in the court as per resolution of the local bar. Let the hearing of the suit be adjourned to 21.11.88

21.11.88

Defendant files hazira . Plaintiff files a petition praying for adjournemt. Prayer accepted and adj hearing deferred til next date 15.12.88

15.12.88

Deft files hazira. Plaintiff files a petition prayer for an adjoint copy served and no objection. Prayer accepted , adjourned hearing of the suit to 25.1.89.

25.1.89

Deft files hazira. Plaintiff files a petition prayer for an adjoint copy served and no objection. Prayer accepted , adjourned hearing of the suit to 1.3..89.

1.3.89

Deft files hazira. Plaintiff files a petition prayer for an adjoint copy served and no objection. It appears that u/s 11 rule 14 is pending. Let the hearing of the petition be fixed for hearing the suit to 4.4.89.

4.4.89

Required parties file hazira. Plaintiff files a petition prayer for an adjournment on the grounds stated in petition , the petition praying for adjournment is allowed . Prayer accepted , adjourned hearing of the suit to 4.5.89.

4.5.89

Deft files hazira. Plaintiff files a petition praying for an adj. The petition is shown and no rejection raised. The petition is allowed for hearing for 3.7.89

8.7.89

Record received by transfer from the court of the learned district judge for disposal. Put up on the date fixed. It is registered on SDPH

19.8.89

Fix 17.11.89 for petition hearing.

17.11.89

Deft-1 files hazira. Plaintiff files a petition of adjourned hearing on ground stated via copy and no objection stated in the prayer. The petition u/s 11 rule 14 cpc has been perused.

Adjourned case till 5.1.90

Later on the same date

After the petition is heard , prayer in the petition is allowed. The next date fixed for hearing is 12.12.89

12.12.89

Parties file hazira and presiding officer is absent. To fix 18.1.90 for hearing.

18.1.90

Parties file hazira. P.O is engaged in sessions. Adjourned till 14.2.90 for petition u/s 11.

14.2.90

Plaintiff files hazira. No steps taken by defendant. The petition u/s 11 is put up for hearing. The said petition is rejected. To fix 28.3.90

28.3.90

Plaintiff files hazira. Defendant files a petition for adjournment of hearing on the ground stated in the copy served and no objection filed , prayer is allowed.

Adj till 15.5.90 for petition hearing.

Later

Handwriting not legible.

15.5.90

Both parties file separate petitions for obj. On the ground stated in the copy , thus prayer is accepted. ADJ. TILL 25.6.90 for petition hearing.

20.6.90

On the prayer of the plaintiff in the ws , the witnesses are cited therein. Fixing hearing on the date mentioned in the copy.

25.6.90

Deft. Files hazira. Plaintiff files a petition for adj. Of petition hearing on the ground stated in the copy and this prayer is allowed. Adj. Is 14.8.90 for petition hearing.

14.8.90

Parties file hazira. Plaintiff files a petition and a affidavit for remission of witness on commission. Copy served and strongly objection. Plaintiff also files a petition for adjournment of hearing on the ground stated , prayer is allowed. Adj 30.10.90 for petition hearing.

Also 13.9.90 is kept for examining witnesses on commission.

13.9.90

Plaintiff files hazira. Deft 1 files objection against examination of witnesses on commission . Copy served . To file 30.10.90 for hearing of petition of commission.

30.10.30

Parties file hazira. Plaintiff files a petition for examination of attesting witness first before the commission of plaintiff. Next date for examination of witness in commission in petition dated 14.8.90 and its objection . heard both the sides.

An application is also filed by the plaintiff praying for appointment of a commissioner or taking evidence of plaintiff's witness , at the witness's own house , stating that the witness is an attesting witness of the will left by the deceased . This application is resisted by the defendant. Thus the learned court accepted the prayer of the plaintiff and rejected the prayer of the defendant. Also the commission cost is 300 which needs to be paid to the court .

30.11.90

Commission cost not deposited. To fix 7.12.90 for cost.

7.12.90

Commission cost is paid. Receipt filed. Commission to submit the receipt 3.1.91

3.1.91

Deft. Files hazira. Writ have not been filed. Next date for fixing 31.1.91

31.1.91

Deft. Files hazira.Writ have not been filed and fixing 1.3.91 for submission of the copy of the commission.

1.3.91

Defendant files writ. Writ have not been filed . To fix 5.4.91 for submission of the copy of commission.

5.3.91

The writ has been received , sealed and signed today.

5.4.91

Deft filed hazira. Presiding officer on leave and receipt also not filed

14.5.91

Deft. Filed hazira. 11.6.91 and files commission report

4.6.91

Plaintiff files a petition praying to direct commission officer for producing of the will before the commission on 8.6.91 for holding commission work of the lrd judge. The prayer is allwed. The will needs to be produced in time by the commission which found in 8.6.91. Plaintiff to pay deposit to T.A

11.6.91

Receipt not filed. To fix 26.7.91 for submission of copy of the commission.

26.7.91

Parties have filed hazira. To fix 9.8.91 for submission of cpy of the commission.

After above order is passed the commission filed his report. Put up is fixed.

9.8.91

Defendant files hazira. Commission filed report. To fix 27.11.91 for petition hearing of the writ.

27.11.91

Defendant files hazira. Plaintiff files a petition for adjournment. Copy to be served for no objection. Hence both sides prayer allowed. Adj. Till 5.3.92 for petition hearing of writ.

5.2.92

Defendant files hazira. Plaintiff files a petition for adjournment. Copy to be served for no objection. Adj. Till 8.4.92 for petition hearing of writ.

8.4.92

Plaintiff files hazira. Deft files a petition for adjournment of hearing . Heard both sides and prayer is allowed. Adj. 10.6.92 for petition hearing.

11.6.92

10th was bandh thus the next date is today. Appelant files a new vakalatnama and files an unified prayer for being substituted for deft no.2 who dies on 4.5.92. Copy not served for 29.6.92. Copy to be served to both plaintiff and defendant.

24.6.92

Plaintiff files hazira and presiding officer is on leave. To fix 24.7.92 for order of petition dated 11.6.92

24.7.92

Plaintiff filed hazira. Substitute petition dated 11.6.92 is put up . Copy of submission to be given to plaintiff 1 and defendant 1. The next date of hearing is 14.8.92

14..8.92

Parties file hazira. To fix 9.9.92 for hearing for substitution.

9.9.92

Plaintiff files hazira The petition dated 11.6.92 died and an appellate named rita have prayed for substitution of the deceased deft-2. The prayer has been accepted as it is filed witjin time.The next date for hearing is 23.11.92

23.11.92

Plaintiff files hazira. Handwriting is not legible. The plaintiff files for adjournment, next date is fixed till 14.1.93.

14.1.93

Plaintiff files a petition for adjournement. Of petition hearing. The P.O is on leave. Adjournement. Is given till 2.3.93

2.3.93

Plaintiff files petition for adj. Of hearing of the suit on the ground stated therein. Plaintiff files a petition for hearing of the suit on the ground stated therein. Plaintiff files a petition for recalling the witness in further examination. Adjournment petition is fixed on 23.3.93 for submission of copies of petition.

23.3.93

Plaintiff files hazira. No receipt filed for showing number of copies served dated 2.3.93 . Next date fixed is 17.4.93

17.4.93

Plaintiff files hazira. No receipt filed for showing number of copies served dated 2.3.93 . Next date fixed is 17.4.93

14.5.93

Plaintiff files hazira. Copy served to deft.1 and postal A/D fixed for 2.6.93 for petition dated 2.3.93

3.6.93

The case is put up for hearing dated 8.7.93

8.7.93

Plaintiff files hazira. The application dated 2.3.93 for further examination of the plaintiff's witness. This prayer is allowed. The evidence of above witnesses is also done. Handwriting is illegible. The plaintiff has to pay rs. 150 to the commission by 15.7.93.

15.7.93

Plaintiff files a hazira. For appearing of the adjoint commission and charging the adjoint commission on the ground stated in petition 31.7.93

31.7.83

Plaintiff files petition showing that the power of commission costs which is to be kept with the said petition of writ accordingly and be put for report as on 4.9.93

4.9.93

Writ have not been issued. Writ adjournment of 7.10.93 in submission of report.

7.10.93

Writ have not been issued. Writ adjournment of 13.12.93 in submission and report.

14.10.93

Writ is sequenced and scaled this day.

7.12.93

Received writ from the court

13.12.93

To fix 21.1.94 for submission

Plaintiff files hazira. The learned commission files adjournment for the submission and report

11.1.94

Learned commission files a petition for dismissing on the ground for production of will on 15.1.94 for holding the commission. This petition is allowed . B.C II , Dulal Chandra Halder is dismissed to produce the will after the issue of commission which is scheduled on 15.1.94. Plaintiff to pay a deporsit , T.A in the petition.

21.1.94

Report to be submitted to the learned commission for 8.2.94 for submission and report.

8.2.94

Plaintiff files hazira. Ld. Commission files a petition for filing of report on the ground stated therein. To fix, 28.2.94 fo submission and report.

28.2.94

Plaintiff files hazira. Deft. 1 files a petition on 22.2.94 paid in power for probabte in form of the plaintiff after declaring the will as genuine copy on 17.3.94 for the commission report.

17.3.94

Parties file hazira. The petition dated 22.2.94 is put up today by defendant 1 or hearing on 20.4.94

20.4.94

No steps are taken. Parties were found absent. To fix 19.5.94 for hearing argument of the suit.

19.5.94

Plaintiff files hazira. Plaintiff files a petition for an adjournemtn of the argument of the suit on the ground stated therein. Plaintiff files a petition praying for producing further evidence and for issuing summons for the witnesses and also prays for the issue of summons. The prayer or adjournment is allowed. To fix 24.6.94 for fixing hearing of argument . Summons will be issued on the witnesses on plaintiff's depositing money via T.A cpc.

24.6.94

Plaintiff files a petition for adjournment of further hearing of argument within ground stated therein. The prayer is allowed.

For fixing 20.7.94 for further hearing of arguments.

29.6.94

Petition files appeal along with requisites and process servers TA .with a prayer for issuing summons upon the witnesses through the caveat's process server as the ground stated therein. Considered and perused the prayer and the same is allowed. Issue of summons upon the witnesses fixing for date 20.7.94

20.7.94

Plaintiff files hazira. P.O is engaged in the will for 2.8.94 for hearing arguments .

2.8.94

Plaintiff files hazira. The petition is taken up for hearing argument. Heard argument in full for plaintiff. To fix 6.8.94 for judgement

6.8.94

Judgement is given this day in the open court . The suit is decreed on contest. Copy of the judgement passed after hearing.

21.9.94

Plaintiff files a unified petition fixing for issuing probate of will of the deceased after putting stamp duty on the basis of plaintiff's own valuation in petition 16.11.94

16.11.94

Plaintiff files hazira. P.O is engaged in session. To fix 21.11.94 for hearing petition dated 21.9.94

21.11.94

No steps taken and plaintiff is found absent on calls. For the cause of genuinity the case is certified on 2.12.94 for hearing of the petition dated 21.9.94

2.12.94

No steps are taken. Plaintiff is found absent on calls. The application dated 21.9.94 is put up.

On the last day , the learned Lwyer for plaintiff submitted that max cost fixed upto 10000 he paid for an order of granting probate.

As no steps are yet taken in turn of his substitution of the petition praying for giving probate on the own valuation.

5.12.94

Plaintiff files a petition supported by an affidavit praying for acceptance of the cost of rs. 10000 in giving a probate certificate in terms of Supreme court and high court calculated by the learned lawyer for plaintiff . When the maximum cost of Rs. 10000 in a probate case has agreed to be paid , the prayer

is allowed. Plaintiff is permitted to pay in the cost of 10000 within one month. To fix 7.1.95 for filing cost.

7.1.95

Stamp duty filed For 31.1.95 for filing stamp.

31.1.95

Cost paid Rs. 10000 filed.

28.2.95

Probate prepared, sealed and signed today.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	14	22
2	Presiding officer busy	3	3
3	Presiding officer on transfer order		
3	Presiding officer on leave	3	3
4	Request by defendant	9	5
5	Request by plaintiff	13	20
6	Both parties absent	1	1
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement	-	-

Case No. 5

Sl. No.		
1.	Nature or type of suit	T.S 105 of 1997 (class 1)
2.	Filed on	6.5.97
3.	Filed in which court	District court Alipore
4.	When it was initiated	21.5.97
5.	When was the act of judgement	6.2.2002
6	How much time	5
7.	What was the result	The suit is dismissed on contest
8.	Filed by	Plaintiff: Mrinal Kanti Ghosh Defendant: Charubala Dey Khan

6.5.97

Register case and fee paid Rs. 8.25 are correct. Requisite put in affidavit of the appeal. Issue notice upon the respondent, through court and by regd. Post with A/D to 2.7.97 for speed A/D. This suit is filed after the plaintiff remained aggrieved still after the disposal of the case no. 146/96. The original case states that she purchased land measuring 1 cottah, 13 chataks, 31 sq. Ft. From Dilip kr. Sarkar by

a deed of 28.9.73, as described in schedule A . She again purchased 1 cottah,31sq ft of land from the same person named dilip by another sale deed. Described in schedule B, to the plaintiff. The properties are adjacent to each other is plot no. 942 is Mouza Behala. Also she got another land from Dilip Kr. But later deft.1 claiming to be power of attorney of deft 2. Along with polic42/51 e and some process server person of court came and demolished the property of the plaintiff and threw everything out. They claimed that they would be taking possession of the property on the basis of a writ issued in execution case. At that time being perplexed the plaintiff signed a document as dictated by deft 1. Under compulsion the plaintiff issued a cheque of 19k . The defts claimed that they had filed a suit already in respect to the plot 942 and 943 in the year 1951 and during the pendency of the suit it was purchased by Dilip kr sarkar and he then sold it off to the present plaintiff. The deft. Puts up the facts stated in said suit of 242/51 and put it as Execution case no 15/75 and on the basis of the said decree, the defts got possession part by part and lastly on 26.12.90 the deft hasve got the possession of the property through court and police help. On the same date plaintiff approached the defts for purchase of the properties saccording as agreed for sale was executed between the parties and part payment is made by the plaintiff as 19k. Then the plaintiff became the tenant at a rental of rs. 500 only a month. The possession of the property was taken on 26.12.90by defts. Through court. The plaintiff's suit was dismissed by the trial court on contest , thus the present case has arose because this .

21.5.97

Respondent No.1 and 2 entered appearance by vakalatnama put up for call for records.

27.6.97

Parties file hazira as next date fixed for 5.7.97 for general questioning.

5.7.97

Appellant files hazira. Appeal is ready for hearing.

1.8.97

Record received from District Judge Alipore for disposal . To fix 30.8.91 for hearing appeal.

30.8.97

Respondent files hazira. Apellant files a petition for adj. Of hearing appeal . Copy served and no objection filed. Ld has considered prayer and allowed. To file 29.9.97 for hearing appeal

8.12.97

Parties are ready. Heard argument in part. To fix 14.1.98 for further argument.

14.1.98

Appellant files a petition for an adj. Of hearing . Copy served and no objection raised . Ld. Considered prayer and allowed . To fix 12.2.98 for further argument . Respondent files hazira.

12.2.98

Respondent files hazira. Apellant files a petition for an adj. Of hearing appeal. Learned has considered prayer and has allowed. To fix 25.3.98 for hearing appeal.

Later on that day

Respondent files a verified petition for call for record for T.Ex 15/78 copy served and objected to. To date for orders.

25.3.98

Parties are present . Appeal is taken up for hearing . Heard learned lawyer for appellant in part . To fix 18.4.98 for further argument.

Petition dated 12.2.98 for calling for the record of T.Ex. no 15/78 is put up for hearing. Heard both sides. Prayer is considered and allowed and record is called for. T.Ex. nO 15/75

18.4.98

Parties are present . P.O is on leave. P.O incharge is engaged . To fix 13.5.98 for further argument.

Later

Respondent files a certified petition for call for record of T.Ex. 15.78 of the learned court 2nd sub judge , copy tendered and referred to take copy . Let it be kept with the record.

Respondent files hazira. Appellant files a petition for an adj. Of hearing . Ld . has considered prayer and to fix 25.5.98 for further argument.

26.5.98

Due to bangle bandh on 25.5.98 , record is put up today. To fix 15.6.98 for further argument.

Present Sri. P.S. Datta

15.6.98

Parties are present. P.O is transferred. P.O in charge is engaged otherwise . To fix 1.8.98 for hearing appeal.

1.8.98

Parties are present. P.O is engaged otherwise. To fix 17.9.98 for hearing appeal.

17.9.98

Respondent files hazira. Appellant files a petition for adj. Of hearing appeal. Copy served . Heard prayer is considered and allowed. To fix 23.11.98 for hearing appeal

23.11.98

Parties are present . Appeal is taken up for hearing Heard learned lawyer for appellant in part. At this stage appellant files a petition for an adj. Of hearing appeal. Heard prayer is considered and allowed. To file 21.12.98 for further hearing.

2.12.98

Parties are present. Further argument is heard. Heard ld. Lawyer for appellant argument is heard. At this stage respondent files a petition for an adj. Of argument of heard prayer which is considered and allowed. To 17.12.98 for further argument.

17.12.98

Parties are present. P.O as engaged otherwise. To fix 13.1.99 for further argument.

13.1.99

Both parties file hazira. Further argument is heard. Heard learned lawyer for respondent in part. At this stage respondent files a petition for an adj. Of argument. Heard prayer is considered and allowed. To fix 16..2.99 for further argument.

16.2.99

Both parties file hazira. Further argument is heard. Heard learned lawyer for respondent in full. At this stage respondent files a petition for an adj. Of argument. Heard prayer is considered and allowed. To fix 11.3.99 for further argument.

11.3.99

Parties file hazira. Subsequently appellant files a petition for an adj. Of argument. Heard prayer is considered and allowed. To fix 13.4.99

13.4.99

Both parties file hazira. P.O is engaged otherwise. To fix 3.5.99 for further argument.

3.5.99

Both parties file hazira. P.O is engaged otherwise. To fix 18.5.99 for further argument.

18.5.99

Parties file hazira. Heard argument both sides. To fix for delivery of judgement. (Please see next date's judgement where judge has mentioned the reason for his not being able to mention date of report)

24.4.2000

Out of inadvertence the judge says that he has missed to notify the date to fix for delivery of judgement. He proposes to deliver the same as early as possible but before that he would like to hear the parties once more. In the alternative the parties may file written argument to give quick delivery of judgement. I like to fix up two consecutive dates for the purpose.

To fix 22.5.2000 and 23.5.2000 for fresh hearing of the appeal in the alternative to file written request by the parties.

22.5.2000

Respondent files hazira. Appellant files a petition for an adj. Of hearing. The dates P.O is on leave . P.O in charge is engaged otherwise. To fix 16.6.2000 for further hearing , respondent files written argument.

16.6.2000

The respondent files hazira. The appellant files petition praying for time to prove that which is mentioned in petition. Copy is served. Heard the prayer for time is allowed for ends of justice. To fix 29.6.2000 for filing written argument by the appellant.

29.6.2000

Parties file hazira. Appellant files argument. To fix 15.7.2000 for judgement.

15.7.2000

Judgement not yet ready. To fix 29.7.2000 for judgement.

29.7.2000

Judgement not yet ready. To fix 18.8.2000 for judgement.

18.8.2000

Judgement not yet ready. To fix 31.8.2000 for judgement.

16.9.2000

Judgement not yet ready. To fix 26.9.2000 for judgement.

26.9.2000

To fix 15.11.2000 or delivery of judgement.

15.11.2000

P.O is engaged of the hearing. Judgement not yet ready. To 28.11.2000 for judgement.

28.11.2000

Judgement not yet ready. To 18.12.2000 for judgement.

18.12.2000

Judgement not yet ready, as P.O is engaged . To fix 19.1.2001 for judgement.

9.1.2001

P.O is engaged otherwise. To fix 22.1.2001 for delivery of judgement.

22.1.2001

To fix 8.2.2001 for judgement.

19.2.2001

Judgement not yet ready. To fix 28.2.2001 for delivery of judgement.

28.2.2001

Judgement not yet ready. To fix 13.3.2001 for judgement.

13.3.2001

P.O is engaged otherwise . To fix 31.3.2001 for judgement

31.3.2001

Judgement not yet ready. To fix 10.4.2001

10.4.2001

Judgement not yet ready. To fix 30.4.2001 for judgement.

30.4.2001

Judgement not yet ready. To fix 21.5.2002 for judgement.

21.5.2001

Judgement not yet ready. To fix 13.6.2001 for judgement.

13.6.2001

Judgement not yet ready. To fix 22.6.2001 for judgement.

22.6.2001

Judgement not yet ready. To fix 10.7.2001 for judgement.

10.7.2001

Judgement not yet ready. To fix 26.7.2001 for judgement.

26.7.2001

Judgement not yet ready. To fix 27.8.2001 for judgement.

27.8.2001

Judgement not yet ready. To fix 15.9.2001 for judgement.

15.9.2001

Judgement not yet ready. To fix 9.10.2001 for judgement.

9.10.2001

Judgement not yet ready. To fix 28.11.2001 for judgement.

28.11.2001

Judgement not yet ready. To fix 12.12.2001 for judgement.

12.12.2001

Judgement not yet ready. To fix 20.12.2001 for judgement.

20.12.2001

Judgement not yet ready. To fix 14.1.2002 for judgement.

14.1.2002

Judgement not yet ready. To fix 30.1.2002 for judgement.

30.1.2002

Judgement not yet ready. To fix 6.2.2002 for delivery of judgement.

6.2.2002

Judgement delivered today in open court. That the T.A stands dismissed on content . The judgement and decree passed in the 2nd court of ed civil judge (sr. Div) at alipore on 31.3.97 in T.S no. 146/96 is hereby confirmed as per judgement passed in separate suits.

14.2.2002

Decree sealed and signed today.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	12	16
2	Presiding officer busy	3	8
3	Presiding officer on transfer order	1	1
3	Presiding officer on leave	1	2
4	Request by defendant		
5	Request by plaintiff	12	16
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement	24	34

Case No.6

Sl. No.		
1.	Nature or type of suit	O.S 90 of 1991 (class 1)
2.	Filed on	8.9.91
3.	Filed in which court	District court Alipore
4.	When it was initiated	30.9.91
5.	When was the act of judgement	9.3.97
6.	How much time	6
7.	What was the result	The suit is dismissed on contest
8.	Filed by	Plaintiff: Tapan Kr. Shaw Defendent : Raghunath Prasad Kanu

8.9.91

The plaint is registered . Issuance of summons are sent through court and via regd post . To fix 10.1.92 for contest.

The suit arose by the plaintiff when he found that there was some materials worth 30000 sold by the defendant to the plaintiff, through a sale deed via a business man who was later impeded proforma defendant. The defendants are the recorded owner of the said property which is under contention now named as suit premises. That the suit premises situate at the adjacent eastern side of the plaintiff's property. The plaintiff requested the defendant to provide him with an accommodation for the purpose of the plaintiff's business of building materials as a tenant but the defendants demanded substantial money and refused to grant any record for tenancy. The defendants had to accept the tenancy in garb of license after signing a purported license agreement prepared by the defendants. The defendants had to sell off the rooms to the plaintiff at an amount of 20k and would take a loan of 30k out of which he would pay the remaining 20k . Incase the defendants aint able to pay the sum of

30k then the property would go to plaintiff. Thereafter the plaintiff was required to pay a total sum of 30k . Since then the plaintiff is occupying the said premises. The plaintiff of this suit stood as a guarantee for repayment of the said sum of money. Later the proforma defendant demanded back the money from the plaintiff which they neglected and didn't pay. Thus the proforma defendant complained the same to the plaintiff who then had paid back the money to the defendant from whom the sale deed was taken. He had acknowledged the receipt of the said sum and issued a writing on 5.8.88 , subsequently the facts were incorporated in an agreement dated 17.10.89 between the plaintiff , this defendants 1 and 2 and the defendant. The proforma defendant submits that he received payment of Rs. 30000 from the plaintiff of this suit but he didnot disclose the facts of payment to the original creditor. Subsequently these defendants gave a declaration on 17.10.89 wherein this defendant was a signatory. The defendant deny of allegation by the plaintiff that the defendants are supposed to pay any money to plaintiff and that they deny the allegations as well as the fact that they have received money from defendant.

30.9.91

Plaintiff's prayer for record is put up today. Plaintiff / petitioner files a petition u/s 39 Rule 1 and 2, at C.P code and with section 151 at cpc. Praying for an order at temporary injunction restraining the deft. 1and 2 against from disposing the plaintiff from the suit remises without due process of law till disposal of the suit and may be pleased to pass ad interim order of injunction should be granted.

Later that day

Heard and perused by the presiding officer . Perused the plaint , petition and affidavit and the documents. The issuance of notice upon the deft. No 1 and 2 to show cause within 7 days. From the dat of reciet of the notice as to why the temporary as well as the ad interim order of injunction shall not be granted in terms of the plaintiff's prayer. Both parties are directed to maintain status quo in respect of the suit property till the disposal for temporary injunction. The plaintiff is asked to comply.

1.10.91

Affidavit along with postal reciets has complied order 39 rule 3 of the cpc. Requisite put in. Process fee paid. Issue of writ and show cause notices , next date for fixing 10.1.92 for return and order.

4.10.91

On plaintiff's prayer , record is put up today. Plaintiff files a petition u/o 6 rule 17 praying for an amendment at plaintiff. Hence perused the petition . The proposed amendment will not change the nature and character of the suit . The prayer of amendment is considered. Perused the plaint and registered accordingly.

Later, Plaintiff also files an application u/s 151 at cpc praying for an order to extend and apply the rder at status quo passed on 30.9.91 vide order no.2 upon the deft no. 2and be allowed to make a free compliance u/s 39 at the said deft. 2. Learned adv. Moved the application.

Considering the circumstances , compliance is prayed for. Requisites at once.

5.10.91

Affidavit filed on behalf of the plaintiff showing compliance with the provisions u/o 39. Plaintiff also files petition along with postal receipt which is to be kept in record.

5.12.91

On plaintiff's prayer the record is put up today. Plaintiff files a petition u/s 151 pf cpc praying for an order of injunction. To fix 18.12.91 till the disposal of the suit.

18.12.91

Plaintiff files hazira. P.O is also in charge of registrar , District Judges court Alipore and is very much busy with administrative works as registrar. No time today . For ends at justice the case is adj. To 10.1.92 for hearing the petition u/s 151

10.1.91

Plaintiff files hazira. Deft. No 1 and 2 appears by filing a joint vakalatnama and files two separate petition praying for time to file w/s and w/o against the injunction petition , copy served . Prayer for time is allowed.

To 4/2/92 for filing w/s Also fix 24/2/92 for hearing of petition.

After the order has been prayed. Deft. Also appears by filing a vakalatnama and files a petition praying for time to file w/s on the ground stated. Time is allowed. To fix 4/2/92 for filinf w/s.

4.2.92

Plaintiff files hazira. Defts files two separate petition praying for time to file w/s on the ground stated therein. Prayer is considered and allowed.

24.2.92

Plaintiff files hazira . Deft. Files a petition praying for adj. Of hearing. Copy served and objected to. Hence prayer for adjournment is allowed. To fix 1.4.92 for hearing petition.

10.3.92

Plaintiff files hazira Deft files a petition praying for time to file w/s on the ground stated therein. Prayer is allowed. To fix 9.4.92 for filing w/s. W/s is filed on behalf of deft. 3. Copy served.

1.4.92

Plaintiff files hazira. Deft. Files petition praying for praying for adj. Of hearing. Copy served and objected to. Hence prayer for adjournment is allowed. To fix 28.4.92 for hearing petition u/s 151.

9.4.92

Plaintiff files hazira. Deft. Files petition praying for praying for adj. Of hearing. Copy served and objected to. Hence prayer for adjournment is allowed. To fix 15.5.92 for hearing petition u/s 151.

28.4.92

Both parties file hazira.Deft, files written objection against the injunction petition . Copy served and objected to. As the P.O is busy with fixing over charge at the office and cash of the register.D.J Court as per order at the Id. District judge. The case is adj. to 3.6.92

15.5.92

Plaintiff files hazira. Deft files a petition to file for time.to file w/s on the ground stated above. Prayer is allowed. To fix 18/6/92 for filing W/S.

18.6.92

Both the parties file hazira. Plaintiff files an affidavit in reply against the objection filed on behalf of Deft no.1.and 2 . Copy served . Defts no.1 and 2 also files a supplementary objection against the plaintiff injunction petition. Copy served and objected to.

P.O being in charge as registrar is very much busy. The case is adj. 10.7.92

later

Plaintiff files hazira. Deft files a petition to file for time.to file w/s on the ground stated above. Prayer is allowed with cost of rs. 15. To fix 20/7/92 for filing W/S.

10.7.92

Both parties file hazira. P.O being in charge , he is busy. The case is adj to 18.8.92

20.7.92

Deft files a petition to file for time.to file w/s on the ground stated above. Prayer is allowed. To fix 24.8.92 for filing W/S.

18.8.92

Both parties file hazira. P.O being in charge , he is busy. The case is adj to 6.11.92

24.8.92

Plaintiff files hazira. W/S filed on behalf of deft . 1 and 2 . Copy served . Copy not paid. To fix 6.11.92 for serving copy of w/s and payment of cost.

7.11.92

It is being closed for bangle bandh To fix 18.12.92 for hearing of petition . To date for serving copy of w/s and payment cost

18.12.92

Both parties file hazira. P.O is very much busy . The case is adj. To fix 19.1.93 for writing the petition. Defts are directed to serve copy at w/s and pay cost by the date fixed.

19.1.93

Plaintiff files hazira. Deft fixes no steps. P.O is very much busy. The case is adj. To 15.3.93 for hearing copy at w/s and prayer at cost. Defts are directed to serve copy of w/s and payment at cost by the date fixed positively . Time will be allowed.

15.3.93

Both parties file hazira P.O is very much busy with sessions case. Acoordingly the case is adj. To 10.5.93

Defts file a petition showing payment at cost and for serving copy at w/s . To date for servin order.

10.5.93

Both parties file hazira The petition for hearing is put up for hearing . Heard both sides.

The plaintiff has failed to make out any prima facie and the balance or imbalance is not in their favour. Rather the same is in favour of deft 1 and 2 . That aprt the loss faced by plaintiff must be compensated by the money. Thus the injunction has no merit.

Thus the injunction order of sec 151 filed by petition stands dismissed in costs. The order maintaining ad interim status quo in the suit property passed vide order no 30.9.91 lies vacated.

Later

It appears from the record that Deft . already served the copy of w/s and with cost . Accordingly the w/s filed by the deft be accepted. To fix 24.6.93 for framing issues.

24.6.93

To fix 30.9.93 for framing issues

30.9.93

The record is put up today for order as the order sheets were lying in the respective dept. To fix 7.12.93 for framing issues . Petition is with fresh vakalatnama be kept in the records.

7.12.93

Plaintiff files hazira . As per resolution at the bar association. , Ld lawyer are not participatory in the proceedings. The case is adj. To 21.1.94 for framing of issues.

21.1.94

Plaintiff files hazira P.O is ngaged otherwise. The case is adj. To 15.3.94 for framing issues.

15.3.94

Plaintiff files hazira. Deft takes no steps for ends of justice. To fix 29.4.94 for framing of issues.

29.4.94

Present – P.K Das

Due to case work as per resolution at the local bar , the case is adj. To 3.6.94 for framing issues.

3.6.94

Plaintiff files hazira. Deft files no hazira and takes no steps. Deft is directed to show cause by 28.6.94 as why the suit shall not be heard.

28.6.94

Plaintiff files hazira. Deft Files no hazira and takes no steps. Deft is directed to show cause by 12.8.94 and for hearing.

12.8.94

Plaintiff files a petition. Praying for adj. Of hearing at the suit on the ground. Prayer for adj is allowed. To fix 16.9.94 for exparte hearing of suit.

16.9.94

Plaintiff files a petition praying for adj of hearing of the suit. Heard prayer and adj. Allowed . Last chance. To fix 28.11.94 for ex parte hearing of suit.

28.11.94

Plaintiff files a petition for time for exparte hearing on the ground stated therein. To fix 10.1.95 for exparte hearing.

10.1.95

Original record already sent to the Id. District judge south 24 parganasalipore. To fix 2.3.95 for order awaiting original record.

2.3.95

No original record as yet. To fix 3.5.95 for original record.

3.5.95

To fix 26.6.95 for order of seeing the original record.

26.6.95

To fix 16.8.95 for order for receiving the original record.

27.6.95

Received copy pf judgement along with original record. That the rise of appeal be allowed for ex parte against the deft. / respondent 1 and 2 . The order of the learned , asst district judge is hereby set aside. Let it be kept with the record and date for order.

16.8.95/ 18/5/95

16th being declared bangle bandh . The record is put up today. To fix 2.11.95 for further order.

2.1..95

Plaintiff files hazira. Deft files no steps . Fix 13.12.95 for exparte hearing.

Plaintiff files a petition along with a medical certificate praying for adj. of exparte hearing at the suit on the ground stated therein. Heard prayer. For adj. Allowed. To fix 29.1.96 for exparte hearing of the suit.

29.1.96

Plaintiff files a petition along with a medical certificate praying for adj. of exparte hearing at the suit on the ground stated therein. Heard prayer. For adj. Allowed. To fix 11.3.96 for exparte hearing of the suit.

11.3.96

Plaintiff files a petition praying for adj. Of exparte hearing of the suit . Heard prayer. Adj. Is allowed. To fix 24.4.96 for hearing ex parte hearing of the suit.

24.4.96

Present shri A.K Mondal

Plaintiff files hazira. P.O is transferred . The case is adj. , to fix 12.6.96 for ex parte hearing of the suit.

12.6.96

Present Shri Kanchan Banerjee , asst district judge.

Plaintiff files hazira. P.O is very busy in connection with other sessions. It is already 4.30 today , hence no time. The case is adj. To 5.8.96 for exparte hearing

5.8.96

Present Shri A.K mondal

Plaintiff files hazira. P.O is very busy in connection with other sessions. It is already 4.30 today , hence no time. The case is adj. To 27.8.96 for exparte hearing

27.8.96

Plaintiff files hazira. P.O is very busy in connection with other sessions. It is already 4.30 today , hence no time. The case is adj. To 26.9.96 for exparte hearing

26.9.95

Plaintiff files hazira. P.O is very busy in connection with other sessions. It is already 4.30 today , hence no time. The case is adj. To 5.10.96 for exparte hearing\

5.10.96

Plaintiff files hazira. P.O is very busy in connection with other sessions. It is already 4.30 today , hence no time. The case is adj. To 16.11.96 for exparte hearing

16.11.96

Plaintiff files hazira .Today is fixed for exparte hearing. Documents are filed and deft takes no steps and found absent on reported calls. The suit is taken up for exparte.

Plaintiff 1 is examined in full and discharged. Documents proved and marked as exhibits.No other witness is present , hence evidence is closed. The unstamped agreement is required to be stamped hence stamp penalty is directed for to the sherestadar and to submit the report by 26.11.96 for further order.

26.11.96

Seen the sherestadar's document. Plaintiff's copy for stamp penalty paid needs to be furnished.

Plaintiff also files a petition for adj. Of further hearing on the grounds as stated therein.

Ld. Prayer is allowed. To fix 29.11.96 for further ex parte hearing of the suit.

29.11.96

Plaintiff files a petition praying for recalling P.W 1 , defendant is found absent on calls. The case of exparte is heard in part. PLAINTIFF 1 AND 2 ARE EXAMINED IN FULL AND DISCHARGED. Plaintiff also furnished the stamp duty penalty. Evidence of plaintiff is closed.

Later, It is found that the original documents are not filed by the plaintiff (agreement), also the plaintiff 1's evidence does not tally with the schedule. It is necessary for clarification and re hearing of the case. Plaintiff is directed to provide original agreement. 6.12.96

6.12.96

Plaintiff files hazira. P.O is busy FOR PROBATE MATTER. To fix 17.1.97 for ex parte hearing.

17.1.97

Plaintiff files hazira. P.O is transferred and p.o in charge is busy. To fix 31.3.97 for ex parte.

31.3.97

Plaintiff files hazira. P.O is busy. To fix 4.6.97 for further ex parte hearing.

4.6.97

Plaintiff files hazira. Plaintiff files a petition for recalling the p.w 1 on the grounds stated therein. Prayer is allowed. TAKEN UP FOR FURTHER HEARING. P.w 1 FURTHER EXAMINED. Documents proved and Marked. Evidence cloed.

It is found that the defts agreed to sell to the plaintiff has been mentioned .whereas in the schedule to the plaint and in evidence of the plaintiff stated that the deft agreed to sell 2.5 cottahs of land under the circumstance for further clarification. To fix 10.7.97 for further hearing of suit.

10.7.97

Plaintiff files hazira. The suit is taken up for ex parte hearing. Heard learned adv for plaintiff.

The suit is decreed with ex parte with cost against the defendants. The plaintiff does get a decree for specific performance of contract in respect to the suit property. The defendants are directed to execute and register sale deed in favour of plaintiff within 4 months from the date of decree in respect of the suit property failing which the plaintiff shall be at liberty to execute and register the sale deed in his favour through court. In that case the defendants have to bear the cost and registration of the deed.

22.7.97

Decree sealed and signed on this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	9	181
2	Presiding officer busy	14	20
3	Presiding officer on transfer order	1	2
3	Presiding officer on leave		
4	Request by defendant	1	1
5	Request by plaintiff	5	8
6	Both parties absent		
7	Defendant absent	2	2
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	3	5
11	Adjourned for passing judgement	-	-

Case No.7

Sl. No.		
1.	Nature or type of suit	T.A 49 of 1987
2.	Filed on	17.2.87
3.	Filed in which court	District court Alipore
4.	When it was initiated	11.5.87
5.	When was the act of judgement	29.3.96
6	How much time	9
7.	What was the result	The suit is decreed on contest
8.	Filed by	Plaintiff: Prafulla kr. dutta Defendent : Bimala dutta

17.2.87

Register duty Rs. 16.25 paid. Requisites published in affidavit appeal. Issuance of notice fixing 11.4.87 for A/D , return order of postal receipt. Call for records

The plaintiff's case in brief is as follows. The defendant is a monthly tenant in respect of the suit premises at rental of rs 12 payable according to the English calendar. The defendant defaulted in payment of rents since July 1975. The plaintiff is the owner of the suit premises which is reasonably required by him. He having no other reasonably suitable accommodation elsewhere . notice of ejectment was duly served upon the defendant but as he did not vacate the present suit has been failed. The defendant contested the suit by filing written statement denying all the material allegation against him and contending that the plaintiff has no cause of action , that the defendant is not a defaulter as alleged , that the suit premises is not reasonably required by the plaintiff that the alleged notice of ejectment is not legal or valid and that the suit should be dismissed with costs.

11.5.87

The record is present today . Respondent appeared with a vakalatnama. To fix 25.6.87

25.6.87

The appeal is kept for hearing for next date 18.7.87

18.7.87

Transferred to the 11th court of additional district court , alipore.

Present Sri S.P chakraborty

1.8.87

The record received this day from the Id. District judge by order of transfer for disposal . Fix 15.9.87 for hearing appeal

15.9.87

Both parties file hazira. P.O is engaged with sessions matter . Fix 10.11.87 for hearing appeal

10.11.87

Appellant files a petition praying for adjournment of hearing on the ground stated therein . Copy served . Prayer is concerned and allowed. To fix 10.12.87 for hearing appeal

10.12.87

Respondent files a hazira. Appellant files a petition u/s 9 rule 7 cpc. Copy served and objected to subsequently appellant files a petition praying for adj. Of hearing on the ground stated therein. Copy served and objected to. Ld. Prayer is considered and allowed. Fix 17.12.87 for hearing the petition u/s 39 R7 cpc objection if any in the meantime. Appeal adj. Till disposal of petition.

17.12.87

Appellant files a hazira. Respondent files a petition praying for adjournment of hearing on the ground stated therein . Copy served and no objection raised. D. Prayer is considered and allowed. Fix 19.1.88 for hearing the petition

19.1.88

Appellant files a hazira. Respondent files objection against the petition for local inspection , copy served and objected to. Appellant petition for local inspection with objection are put up for hearing. Ld. Considered. In view of the appellant , contention that the respondent has raised further contention. I think the prayer for local inspection should be allowed for ends of justice. Hence the petition for local inspection stands allowed.

Let Sri Pradip Bose , Ld advocate be appointed for holding the local inspection on the points shown in the petition and report by 8.4.88

Let the appellant deposit cost of rs. 200 be paid to the commissioner for holding local inspection by 10.3.88 On deposit of the account the writ is issued.

10.3.88

Appellant files a petition praying for time . Handwriting illegible. To fix 29.3.88 for next hearing.

29.3.88

Appellant files a petition praying for time for depositing cost of commission . The petition is fixed 26.4.88 for depositing cost of commission.

8.4.88

Appellant files hazira.

26.4.88

Appellant takes no steps for depositing cost of commission as directed. Much time has been allowed for depositing the cost of the local inspection. Let the order no. 10 dated 19.1.88 be vacated

Let the appeal be set down for hearing on 27.5.88

27.5.88

Respondent files hazira. Appellant files a petition praying for vacating the order no 14 of 26.4.88 and for depositing the cost. Petition order 19.1.88 for the perusal. Heard Ld lawyer of both sides. Perused the petition. The prayer is allowed for ends of justice. Subject to payment of cost. The petition dated 26.4.88 is vacated. Appellant to deposit cost of commission by 8.6.88 without fail.

8.6.88

Appellant files hazira and a receipt of rs. 200 showing payment of cost to commission which is to be kept with record. Issue of the writ of the commission.

Later

To fix 13.7.88 for report from commission

13.7.88

Appellant files hazira. It appears that writ was not issued .Issue of writ as per order no 10 and 19.1.88 To fix 22.8.88 for receipt of record for the commission.

22.8.88

Hazira filed by appellant . Report not yet filed by the commissioner. To fix 6.9.88 for receipt of report from the commissioner.

6.9.88

Appellant files hazira. Commissioner report not yet received. To fix 7.10.88 for commissioner report.

7.10.88

Appellant files hazira. Commissioner's report not yet received. To fix 15.12.88 commissioner report

15.12.88

Appellant files hazira. Commissioner did not submit his report . To fix 25.1.89 for submission of report.

25.1.89

Appellant files hazira. To fix 22.2.89 for submitted commission report.

22.2.89

Appellant files hazira. Commissioner report not yet received To fix 27.3.89 for commission report.

27.3.89

To fix 26.4.89 for submission of commission report

26.4.89

Plaintiff files hazira. To fix 8.6.89 for submission of commission report.

8.6.89 Appellant files hazira . To fix 2.8.89 for submission of commission report.

2.8.89 Appellant files hazira . To fix 21.9.89 for submission of commission report

21.9.89 Appellant files hazira . To fix 27.11.89 for submission of commission report

27.11.89 Appellant files hazira . To fix 2.1.90 for submission of commission report

2.1.90 Appellant files hazira . To fix 7.2.90 for submission of commission report

7.2.90 Appellant files hazira . To fix 21.3.90 for submission of commission report

30.3.90 Appellant files hazira . To fix 21.5.90 for submission of commission report

21.5.90 Appellant files hazira . To fix 5.7.90 for submission of commission report

5.7.90 Appellant files hazira . To fix 3.9.90 for submission of commission report

3.9.90 Appellant files hazira . To fix 21.11.90 for submission of commission report

21.11.90 Appellant files hazira . To fix 5.3.91 for submission of commission report\

5.3.91 Appellant files hazira . To fix 6.5.91 for submission of commission report

6.5.91 Appellant files hazira . To fix 19.6.91 for submission of commission report

19.6.91 Appellant files hazira . To fix 31.7.91 for submission of commission report. Inform the commission.

31.7.91 Appellant files hazira . To fix 11.9.91 for submission of commission report

11.9.91 Appellant files hazira . To fix 27.11.91 for submission of commission report

27.11.91 Appellant files hazira . To fix 27.1.92 for submission of commission report

27.1.92 Appellant files hazira . To fix 12.3.92 for submission of commission report

12.3.92 Appellant files hazira . To fix 28.4.92 for submission of commission report

28.4.92 Appellant files hazira . To fix 23.6.92 for submission of commission report

23.6.92 Appellant files hazira . To fix 24.4.92 for submission of commission report

3.8.92 Appellant files hazira . To fix 2.11.92 for submission of commission report

2.11.92 Appellant files hazira . To fix 7.1.93 for submission of commission report

7.1.93 Appellant files hazira . To fix 5.3.93 for submission of commission report

5.3.93 Appellant files hazira . To fix 5.5.93 for submission of commission report

5.5.93 Appellant files hazira . To fix 30.6.93 for submission of commission report

30.6.93 Appellant files hazira . To fix 19.8.93 for submission of commission report

19.8.93

Appellant files hazira . To fix 17.11.93 for submission of commission report

17.11.93

Appellant files hazira . To fix 21.1.94 for submission of commission report

3.1.93

Appellant files a petition u/s 22 rule 11 cpc supported by an affidavit copy not served . To date for orders.

21.1.94

Appellant files hazira, Petition u/s 22 rule 11 cpc is put up today . To fix 3.2.94 for hearing petition .

3.2.94

Appellant files hazira . To fix 22.2.94 for hearing petition.

22.2.94

Appellant files hazira To fix 11.3.94 for hearing this petition.

4.3.94

Petition files hazira. Petition dated 3.1.94 for substituted the heir of the deceased of the respondent Basudeb Dutta who died on 1.10.93 is taken up for hearing . The petition is filed on 3.1.94. 21.12.93 to 2.1.94 being a holiday. The petition is therefore within time. Hence the petition for substitution is considered and allowed . Amend the cause of title and registered accordingly. To fix 24.3.94 for next date.

24.3.94

Requisites put in. Issue notice upon the substituted respondent . Fixing 28.4.94 for return and orders.

28.4.94

Ld lawyer are not participating in court due to cease work. To fix 23.5.94 for return and orders.

23.5.94

Appellant files hazira. To fix 14.6.94 for return and orders

14.6.94

Appellant files hazira. Notice not yet returned on the service. To fix 5.7.94 for return and service.

5.7.94

Appellant files hazira. Notice not yet returned on the service. To fix 3.8.94 for return and service.

3.8.94

Appellant files hazira. Notice not yet returned on the service. To fix 29.9.94 for return and service.

30.9.94

29.9.94 is bharat bandh. Record is put up To fix 5.12.94 for return and orders

Later

Respondents appear without power. Let it be kept with the record.

Present Sri. M.N.Sen

Both parties file hazira. To fix 15.12.94 for hearing petition dated 30.9.94. Objection if any in the meantime.

15.12.94

Both parties file hazira. Respondent files rush power. Ld commissioner files a petition for issuing duplicate writ. Petition dated 30.9.94 for directing the learned commission to complete the commission work is put up for hearing . Heard both the petitions . Considered , both their prayers allowed. Issue duplicate writ prayed for . Consumer to complete the work of local inspection within a month hence reported further order. This T.A is 7 years old To fix 20.1.95 for the suit was of 1977.

9.1.95

Duplicate writ sealed and signed today.

20.1.95

To fix 14.2.95 for submission of commission report. Issue writ at once.

14.2.95

Both parties file haziras . To fix 27.3.95 for submission of commission report.

27.3.95

The plaintiff is absent. The respondent files a petition for cancellation of the writ of commission . Copy served . to fix 7.4.95 for hearing . Objection in the meantime. Commission be present on that day.

7.4.95

The learned lawyer heard both sides. The learned commission has not submitted the report. It is a long pending case. This appeal is being dragged for about 8 years for want of commission report. The learned commission has not assigned any reason for non submission of report. As such the learned adv commission is directed and submit his report related to local inspection by 30.5.95 , issue of writ shall be held.

Inform Id adv commission . The petition today by the respondent be kept with the record.

10.5.95

Respondent files a verified petition for directing Sri Pradip Bose the learned adv commission to not file petition as mentioned in the schedule –copy served . To 18.5.95 for hearing this petition . Objection if any in the meantime. Informed commission.

18.5.95

The learned lawyer for the respondent is present. The affidavit is abandoned. The Id lawyer for the appellant is not also present. The Id commission is also not present . So the petition dated 8.5.95 as filed by the respondent after serving copy to other side , is taken up for further hearing exparte. The learned lawyer for the respondent prays for allowing his petition for giving a direction upon the learned commission as per order no. 10 dated 19.1.88 to make inspection of additional points. Perused the petition . Considered since the commission of local inspection has already been allowed by this court in 1988. Hence allowed. Copy to be sent to the commissioner's office so that the points for inspection need to be confirmed in the respondent's petition dated 9.5.95 , excepting point no. 3 and to submit his report by the date fixed along with earlier report.

Later

Respondent files a petition praying for permission to deposit commission fees directing the learned commission . Heard learned lawyer for respondent . Perused the petition . Prayer is considered and allowed for ends of justice.

30.5.95

Both parties file haziras . Ld commission submits his report along with writ and other papers.Let it be kept with the record. To fix 23.6.95 for hearing appeal.

23.6.95

Respondent files hazira. Appellant files a petition for an affidavit of hearing appeal. Heard prayer for adj. Is considered and allowed. To fix 19.7.95 for hearing appeal.

19.7.95

Appellant files hazira. Respondent files a etition for an adj. Of hearing appeal .Heard prayer and is considered and allowed. To fix 28.7.95 for hearing appeal.

28.7.95

Appellant files hazira. Respondent files a petition for an adj. Of hearing appeal. Copy served and n objection raised. P.O is on leave. Prayer is considered and allowed. To fix 30.8.95

30.8.95

Both parties file haziras. P.O is engaged otherwise. No time today. To fix 31.10.95 for hearing appeal.

17.11.95

Both parties file hazira. P.O is engaged . To fix 23.11.95 for hearing appeal.

22.11.95

Appellant files hazira. Respondent files a petition u/s 6 rule 17 read witnesses. 51 cpc for amendment of plaint . Copy served and objected to. Fixing 1.12.95 for hearing petition , objection if any.

1.12.95

Appellant files objection against petition u/s 6 rule 17 cpc , copy served . Petition u/s 6 rule 17 cpc , taken up for hearing . Heard in part . To fix 2.12.95 for further hearing.

2.12.95

Parties are ready . Petition u/s 6 rule 17 is taken up for further hearing. Heard. To fix 23.2.96 for order.

23.2.96

Heard both lawyers and it has been found that the ld munsif awarded decree in favour of the original plaintiff . Basudev dutta on the ground of his reasonable judgement , submitted after his death since the personal requirement of said basudev dutta doesnot arise at all his legal hers having been substituted according to law as added plaintiff in this appeal have prayed for insertion of her proposed amendment to the effect that one of his son / being an unemployed youth requires the suit premises for reasonable requirement. Thus the appeal is allowed.

To fix 25.3.96 for hearing.

25.3.96

Parties are ready. Appeal is taken up for hearing . Heard both sides . Argument is closed. To date 29.3.96 for judgement.

29.3.96

Jdgement delivered this day in an open court . That this appeal is allowed on content without any order to cost. The judgement and decree in T.S 195/77 are hereby set aside. The TS NO. 195/77 is hereby sent back on remand , as per judgement passed in separate sheets.

17.4.96

Decree sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	8	10
2	Presiding officer busy	1	1
3	Presiding officer on transfer order		
3	Presiding officer on leave	1	1
4	Request by defendant	2	4
5	Request by plaintiff	2	2
6	Both parties absent	1	1
7	Defendant absent		
8	Plaintiff absent	1	1
9	Awaiting order/instructions from High Court/ other authority	41	68
10	Scheduling error/holiday declared/strike	2	4
11	Adjourned for passing judgement	-	-

Case No.8

Sl. No.		
1.	Nature or type of suit	OS Case No. 3 of 1982 (class 2) (initially it was 77/80 , then it was 10/81 , then it was 3 of 82)
2.	Filed on	23.12.80
3.	Filed in which court	District court Alipore
4.	When it was initiated	24.1.81
5.	When was the act of judgement	30.9.97
6.	How much time	16
7.	What was the result	The case is dismissed on exparte
8.	Filed by	Plaintiff: Ahmed Ali Tarafdar Defendent : Achid Khatun Bibi

23.12.80

This is an application for grant of administration of the will of the estate of late amiladdin tarafdar who died on 13.2.77 refiled before this court. When 7/79 of bongaon became contentious. Register the application as an original suit . To 2.1.81 for court fees.

24.1.81

Plaintiff puts in a petition praying for exemption from filing of advalorem court fee . Heard . It is stated that there is was no caveat entered in respect of the estate left by testator and that objection was filed after citation making the proceeding contentious. Considered . There having been no caveat entered, the prayer of the plaintiff in view of the decision in C.R 3613/71 for being exempted from filing advalorem court fee is allowed.

To fix 14.2.81 or file complete requisites

14.2.81

Requisites are not filed . To fix 28.2.81 for filing requisites and for order.

28.2.81

On the prayer of the plaintiff , time is allowed till 13.3.81 for filing requisite

13.3.81

Requisites for filed , but copy of the plaint is not served . Copy be filed by 1.4.81

1.4.81

Copy of the plaint s filed . Requisites have already been filed. Issue of summons upon the defendant fixing 7.5.81 for ascertaining contest.

7.5.81

Plaintiff files hazira. Summons have come back unserved as per peon's report . Plaintiff is directed to take steps for service of summons by 25.5.81

25.5.81

On the prayer of the plaintiff , let summons be issued upon the defendant for service by regd post with a/d/ fixing 9.6.81 for ack and appearance . Requisite be put in within 7 days.

9.6.81

Plaintiff files hazira and postal receipt . Ack receipt is not received . To 25.6.81 for ack and appearance.

25.6.80

Plaintiff files hazira . Ack receipt is not received . To 15.7 81 . For ack and appearance.

15.7.81

Plaintiff files hazira . Summons sent by regd post have come back unserved as not known . Petitioner is directed to take steps for due service for summons by 1.8.81

1.8.81

Plaintiff puts in a petition supported by affidavit for service of summons upon the defendant in the substituted manner . Heard . Having perused the records it appears that the defendant has been deliberately avoiding service of summons and that sufficient grounds in favour of an order for service in the manner prayed. Next date for hearing 2.9.81.

2.9.81

Plaintiff files hazira. Summons the defendant have been duly served in the substituted manner. Deft. Does not appear. To fix 18.9.81 for hearing the suit exparte.

18.9.81 Plaintiff files hazira. Deft. Files for show cause. Copy of w.s. to be served by 9.11.81

9.11.81

Copy for w.s. is on record . The cause shown is considered . Sufficient . The w.s. be accepted. Documents if any , he filed within 7 days . Plaintiff may take the copy for w.s. from the record through his advocate.

Transferred to the 5th of additional district / subordinate judge, Alipore for appeal.

17.11.81

Record received by transfer from the court of the learned ddistrict judge for disposal . To fix 8.12.81 for filing suggested issues by the parties.

8.12.81

Plaintiff files hazira but file no suggested issues. Deft files no hazira and takes no steps . Fix 13.1.82 for final order

13.1.82

P.O is on leave. Additional district judge 9th court will remain in charge . Fix 17.2.82 for filing suggested issues by the parties.

17.2.82

Plaintiff files hazira . It appears from the record that copy of the written objection not swrved. To fix 12.3.82 for filing suggested issues by the both sides.

12.3.82

Deft served copy upon the plaintiff . Defendant files suggested issues . Plaintiff not filed suggested issues . To fix 19.4.82 for framing issues.

19.4.82

Both sides file hazira. Issues are framed accordingly . To fix 18.5.82 for discovery by both sides.

18.5.82

18th being declared holiday on record and put up today. Fix 11.6.82 for discovery both sides.

11.6.82

Both sides files no discovery. Fix 1.9.82 for p hearing of the suit.

1.7.82

P.O is on leave . Additional D.J 9th court will remain in charge . Deft . files a petition praying for an adjournment on the grounds in the petition served and no obj raised. Perused . Prayer is considered and allowed . Fixed 29.7 for p hearing.

29.7.82

Plaintiff files a petition praying for an adjournment on the grounds stated therein . Perused . Prayer is considered and allowed . Fix 16.8.82 for petition hearing of the suit.

16.8.82

P.O is on leave. Additional D.J 9th court will remain in charge . Plaintiff files hazira. Deft files no hazira and takes no steps . Fix 14.9.82 for exparte hearing of the suit.

14.9.82

Plaintiff files hazira. Deft . files a petition seeking permission to contest the suit on the grounds stated therein . Prayer is considered and allowed. To fix 23.11.82 for petition hearing of the suit.

23.11.82

Plaintiff files a petition praying for an adjournment on the grounds stated therein . Copy served and no objection raised . Perused . Prayer is considered and allowed. To fix 20.12.82 for petition hearing

20.12.82

Withdrawn file.

Transferred to 3rd adj, Alipore

20.12.82

Received by transfer . Register . The plaintiff files a application praying for adjournemtn on the ground . Copy served . Prayer filed. To fix 25.1.83 for petition hearing .

25.1.83

Deft files hazira. The plaintiff files a petition praying for adjournemtn on the ground . Copy fpund . Heard . Prayer is allowed. To fix 11.2.83

11.2.83

The deft files a petition praying for adj. On the ground stated therein . Copy servd . No objection. To fix 25.3.83 for petition hearing

25.3.83

The plaintiff and deft hazira filed hazira. Both the LCR is not found in record . To fix date 25.3.83 for hearing

25.3.83

Hence judicial case 7/29 act 272 (391 filed in 29.1.79 in sub judice munsif's court). Call for the will from the munsif.This OS is taken up for petition hearing. To fix 29.4.83 for record in the will.

27.4.83

Both parties file hazira.Will lying in the court of district court in bongaon not yet received. To fix 6.6.83 for order owning receipt of will of the court in bongaon.

6.6.83

Plaintiff files hazira. The will not yet received rom the court of S.D munsif , Bongaon. To fix 27.6.83 for order awaiting receipt of will from the bongaon court.

27.6.83

Plaintiff files hazira . The will not yet obtained from court of bongaon. To fix 26.7.83 for order awaiting receipt o will from the S.D BONGAON COURT.

26.7.83

Plaintiff files hazira. The will not yet received rom the court of S.D munsif , Bongaon. To fix 23.8.83 for order awaiting receipt of will from the bongaon court.

23.8.83

Plaintiff files hazira. The will not yet received rom the court of S.D munsif , Bongaon. To fix 27.6.83 for order awaiting receipt of will from the bongaon court.

22.9.83

Plaintiff files hazira. The will not yet received rom the court of S.D munsif , Bongaon. To fix 26.11.83 for order awaiting receipt of will from the bongaon court.

26.11.83

The will notnyet received . Put up on 6.1.84 .

6.1.84

Plaintiff files hazira. Deft files a petition praying for adj. Prayer is allowed. To fix 16.1.84

16.1.84

Parties files no hazira. Put up on 16.2.84 for hearing of order in the presence of both sides.

16.2.84

Palintiff files hazira. Deft files a petition praying for adj. Of hearing on the grounds set forth. Considered. Adj to 8.3.84

8.3.84

Plaintiff files hazira . P.O is engaged in hearing. Hence adj. To 4.4.84 for hearing and order presence of both sides.

4.4.84

Both sides are ready . P.O is enaged. To fix 4.5.84 for hearing in presence of both sides.

4.5.84

Petition files a hazira. To put up on 7.6.84 for order.

7.6.84

Deft files hazira. P.O is on leave. To fix 10.7.84 for order awaiting the will from S.D.M , bangaon.

10.7.84

Deft files hazira. Will not yet returned. To fix 23.8..84 for order awaiting the receipt of will from S.D.M , bangaon.

23.8.84

Parties file no hazira. Will not yet returned. Put up on 30.10.84 for order awaiting receipt of will from s.d.m bongaon.

30.10.84

Parties file no hazira. Will not yet returned. Put up on 4.12..84 for order awaiting receipt of will from s.d.m bongaon.

4.12.84

Parties file no hazira. Will not yet returned. Put up on 4.12..84 for order awaiting receipt of will from s.d.m bongaon.

18.1.85

Parties file hazira. Will not yet returned. Put up on 26.2.85 for order awaiting receipt of will from s.d.m bongaon.

26.2.85

Parties file hazira. Will not yet returned. Put up on 26.3.85 for order awaiting receipt of will from s.d.m bongaon.

26.3.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 24.4.85 for order awaiting the will from S.D.M Bongaon.

24.4.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 3.6.85 for order awaiting the will from S.D.M Bongaon.

3.6.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 12.9.85 for order awaiting the will from S.D.M Bongaon.

12.7.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 12.8.85 for order awaiting the will from S.D.M Bongaon.

12.8.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 13.9.85 for order awaiting the will from S.D.M Bongaon.

13.9.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 25.11.85 for order awaiting the will from S.D.M Bongaon.

25.11.85

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 8.1.86 for order awaiting the will from S.D.M Bongaon.

8.1.86

Plaintiff files hazira. No intimidation as yet received regarding the wil. Put up on 20.2.86 for order awaiting the will from S.D.M Bongaon.

20.2.86

Plaintiff files no hazira. No intimidation as yet received regarding the wil. Put up as per order no. 32 dated 25.3.86 on 1.4.86 for order awaiting the will from S.D.M Bongaon.

1.4.86

Will not yet received . Put up on 12.5.86 for order awaiting will from lower court.

12.5.86

Will not yet received . Put up on 10.6.86 for order awaiting will from lower court.

10.6.86

Will not yet received . Put up on 16.7.86 for order awaiting will from lower court.

16.7.86

Will not yet received . Put up on 22.8.86 for order awaiting will from lower court.

22.8.86

Will not yet received . Put up on 24.9.86 for order awaiting will from lower court.

24.9.86

Will not yet received . Put up on 3.12.86 for order awaiting will from lower court.

3.12.86

Will not yet received . Put up on 12.1.87 for order awaiting will from lower court.

12.1.87

Will not yet received . Put up on 17.2.87 for order awaiting will from lower court.

17.2.87

Will not yet received . Put up on 19.2.87 for order awaiting will from lower court.

19.2.87

Will not yet received . Put up on 30.3.87 for order awaiting will from lower court.

30.3.87

Will not yet received . Put up on 4.5.87 for order awaiting will from lower court.

4.5.87

Will not yet received . Put up on 8.6.87 for order awaiting will from lower court.

13.7.87

Will not yet received . Put up on 13.7.87 for order awaiting will from lower court.

24.8.87

Will not yet received . Put up on 2.11.87 for order awaiting will from lower court.

2.11.87

Will not yet received . Put up on 9.12.87 for order awaiting will from lower court.

9.12.87

Will not yet received . Put up on 12.2.88 for order awaiting will from lower court.

12.2.88

Will not yet received . Put up on 5.4.88 for order awaiting will from lower court.

5.4.88

Will not yet received . Put up on 21.6.88 for order awaiting will from lower court.

21.6.88

Will not yet received . Put up on 8.8.88 for order awaiting will from lower court.

8.8.88

Will not yet received . Put up on 28.9.88 for order awaiting will from lower court.

28.9.88

Will not yet received . Put up on 19.12.88 for order awaiting will from lower court.

19.12.88

Will not yet received . Put up on 1.3.89 for order awaiting will from lower court.

1.9.89

Will not yet received . Put up on 12.5.89 for order awaiting will from lower court.

12.5.89

Will not yet received . Put up on 20.7.89 for order awaiting will from lower court.

20.7.89

Will not yet received . Put up on 26.9.89 for order awaiting will from lower court.

26.9.89

Will not yet received . Put up on 9.1.90 for order awaiting will from lower court.

9.1.90

Will not yet received . Put up on 6.3.90 for order awaiting will from lower court.

6.3.90

Will not yet received . Put up on 25.5.90 for order awaiting will from lower court.

25.5.90

Will not yet received . Put up on 27.7.90 for order awaiting will from lower court.

27.7.90

Will not yet received . Put up on 22.10.90 for order awaiting will from lower court.

23.10.90

Record is put up this day. Due to death of chief justice it is declared holiday. Thus next date 30.11.90

30.11.90

Will not yet received . Put up on 17.1.91 for order awaiting will from lower court.

17.1.91

Will not yet received . Put up on 13.3.91 for order awaiting will from lower court.

13.3.91

Will not yet received . Put up on 29.4.91 for order awaiting will from lower court.

29.4.91

Will not yet received . It has been seen that plaintiff since 1980 has not taken any steps for withdrawl of will from filing court nor has taken any steps for production of will.

29.4.91

Heard Id. Lawyer who is called in from the sheresta as no hazira was filed. It is submitted that of a short date is given , the will would be produced.

Hence fix 11.5.91 for production of the will by the plaintiff failing which the law will take its own cause.

11.5.91

Will not produced. It is submitted by the Id. Lawyer that the will was sent to the office of the dist. Judge by the s.d.m bongaon long ago. Before passing any further order let it be ascertained whether the will was received in d.j office or not. To fix 1.6.91 for further ends of justice. Meanwhile H/Clerk do report whether the will was received in the office or not.

1.6.91

Plaintiff files hazira and deft taken no steps. The will is also not produced . The learned judge sends a letter to sub divisional munsif, bongaon to look into the matter and send the will along with the LCR of misc case no .7/79 act 272 (39) , to this court positively by 21.6.91

21.6.91

Received letter of S.D Munsif , Bongaon on 20.6.91. As per his letter , record sent to dist court on periodical dispatch. Call for record . To fix 24.7.91 for further orders

24.7.91

Requisition not yet sent . To fix 30.8.91 for further order.

30.8.91

Plaintiff files hazira. Record not yet received. Put up on 26.9.91 for order awaiting record for DR

26.9.91

Plaintiff files no hazira. Record not yet received. Put up on 3.12.91 for order awaiting record.

3.12.91

Plaintiff files hazira. Record not yet received from DRR (DISTRICT RECORD ROOM). Put up on 20.1.92

Received record of bongaon court from DRR alipore. To fix 20.3.92 for petition hearing.

20.3.92

Plaintiff files hazira. P.O is busy. Hence to fix 21.5.92 for petition hearing.

21.5.92

Plaintiff prays for adj. Thus prayer allowed and adj is till 20.7.92 for exparte as deft takes no steps and files no hazira.

20.7.92

Plaintiff files hazira. The suit is taken up for hearing in exparte.

20.7.92

Plaintiff files hazira. The suit is taken for exparte hearing. PW1 AND PW2 are examined and discharged in full

LATER

The will is recorded in exhibit 1 . Heard the learned lawyer . It is seen that collectors report is not yet seen. So put up is on 26.8.92 for further receipt of collector's report , failing which final order will be given without valuation report. A copy of the affidavit of assets be sent with this order to the collector .

26.8.92

Plaintiff files hazira. Valuation report not yet received . Received letter from collector for time to submit valuation report. To fix 16.11.92

16.11.92

Plaintiff files no hazira. Valuation report not yet filed Plaintiff is directed to file the same by 19.1.93

19.1.93

Plaintiff files hazira. Plaintiff directed to file valuation report by 22.3.93

22.3.93

Plaintiff files no hazira. Valuation report no filed. Plaintiff directed to file the valuation report by 26.5.93

26.5.93

Plaintiff files no hazira. Valuation report no filed. Plaintiff directed to file the valuation report by 30.7.93

30.7.93

Plaintiff files no hazira. Valuation report no filed. Plaintiff directed to file the valuation report by 1.10.93

1.10.93

Deft files hazira. Valuation report no filed. Plaintiff directed to file the valuation report by 15.1.94

15.1.94

Parties takes no steps. Valuation report no filed. Plaintiff directed to file the valuation report by 26.5.93

7.3.94

Plaintiff files hazira and files prayer for taking steps. Valuation report no filed. Plaintiff directed to file the valuation report by 29.4.94

7.6.94

Present T.D Banerjee

29.4.94

Due to leave work of the local bar from 10.30 . The case is adj. To 7.6.94 for steps.

7.6.94

Affidavit files hazira . Applicant to show cause by 28.7.94

28.7.94

Plaintiff files a verified petition showing cause which is accepted. Plaintiff also files a petition supported by an affidavit for accepting the valuation which was given by the [arty. Copy not sent. Deft takes no steps. To fix 26.8.94 for hearing petition.

26.8.94

Plaintiff files hazira. Collector has filed the report. Plaintiff may be allowed to have the benefit of assessment of court fee on the valuation given by him for the same. The plaintiff is to take steps at once. To fix 28.9.94 for next date.

28.9.94

Received the valuation report in respect of property of the deceased as mentioned in case 3/82. Let the report be kept with the record.

30.9.94

Plaintiff files no hazira. Valuation report in record. To fix for hearing and order.

25.11.94

Plaintiff files hazira. Due to cease work of local bar , the case is adj till 22.12.94 for hearing and order.

22.12.94

Due to bangle Bandh .Parties and Id. Lawyers file no haziras . To 2.2.95 for hearing and orders.

2.2.95

Plaintiff files hazira and found absent on calls. Plaintiff to show cause by 7.3.95

7.3.95

Due to cease work , local bar not working. The case is adj. Till 1.6.95 for show cause.

1.6.95

Plaintiff files hazira for hearing. To fix 1.7.95 for hearing and order.

1.7.95

Plaintiff files hazira and absent on calls . Plaintiff to file for show cause by 5.8.95

5.8.95

Plaintiff files hazira and petition for show cause . To fix 6.9.95 for report from collector.

6.9.95

Plaintiff files hazira and absent on repeated calls. Neither the plaintiff nor the lawyer is found. The valuation report is filed.

Perused the valuation report of the collector . Let the valuation report valued by the collector be accepted. Plaintiff is directed to take steps for filing commission fees on the valuation report by 15.11.95

15.11.95

Deft files hazira. Due to cease work of local bar , the court is adj till 13.12.95

13.12.95

Plaintiff files hazira for showcause.

15.1.96

Plaintiff files a petition praying for time to take steps . Perused , prayer is allowed. To fix 4.3.96 for taking steps.

4.3.96

Plaintiff files hazira. No steps taken on behalf of steps. Plaintiff is directed to showcause by 16.4.96

16.4.96

Plaintiff files a verified petition praying for condoning the laches on the part of the petition on the ground stated therein. Prayer accepted. To fix 1.6.96 taking steps.

1.6.96

P.O is on leave. Plaintiff files a petition praying for time to take steps. To fix 31.7.96 for steps.

31.7.96

Plintiff file a petition praying for time to take steps, on the ground stated therein. Prayer is allowed. To fix 18.9.96 for steps.

18.9.96

Plaintiff files only hazira. No steps taken by the plaintiff. Plaintiff and show cause by 21.11.96.

20.11.96

Plaintiff files a verified petition praying for condoning laches on the ground stated therein.

To fix 9.1.97 for taking steps.

9.1.97

Plaintiff takes no steps. Plaintiff and showcause and shall not be dismissed as default. To fix 17.2.97

17.2.97

Plaintiff takes no steps. In view of the order dated 9.1.97. Plaintiff files no showcause. Plaintiff be given and the opportunity to take steps for ends of justice. To fix 27.3.97 for taking steps and be dismissed by default.

27.3.97

Plaintiff files a petition for valuation report. The petition is misconceived as the valuation report received. Hence the petition rejected.

Plaintiff to show cause as to why the writ shall not be dismissed for non filing of court fee. To fix 10.4.97 for showing cause.

10.4.97

Plaintiff files a verified petition praying for condoning laches on the ground stated therein. Perused and condoned. Causes shown are sufficient. Laches be condoned. To fix 19.5.97 for taking steps.

19.5.97

Plaintiff files a petition along with the court fee of Rs. 6534 on the valuation report.

P.O is on transfer. To fix 20.6.97 for further hearing.

20.6.97

Present S.P Bhattacharya

Plaintiff files petition praying for adj. Of hearing argument. To fix 20.6.97 for further hearing and argument.

11.8.97

Plaintiff files a hazira. Hard argument exparte. To fix 13.8.97 for order.

13.8.97

Put up on 27.8.97 for further hearing and argument.

27.8.97

Plaintiff files petition praying for an adjournemtn on the ground stated in petition. Perused petition . Heard and prayer is allowed. Adj to 1.9.97 for further hearing and argument.

1.9.97 Plaintiff files hazira . Heard . To fix 20.9.97 for order.

20.9.97

To fix 30.9.97 for order.

30.9.97

It is ordered that the will executed by akhiluddin tarafdar father of the petitioner in respect of his entire property is not legal , valid and binding upon the parties. Petitioner's prayer for granting letters of administration is dismissed exparte without cost.

17.11.97

Plaintiff files a petition for return back of court fee . Prayer is allowed. Let the court fees of Rs. 6534 be returned.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	6	6
2	Presiding officer busy	2	3
3	Presiding officer on transfer order		
3	Presiding officer on leave	5	5
4	Request by defendant	1	1
5	Request by plaintiff	5	7
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	5	8
11	Adjourned for passing judgement		

Case No. 9

Sl. No.		
1.	Nature or type of suit	TA Case No 246/99
2.	Filed on	30.9.99
3.	Filed in which court	District court Alipore
4.	When it was initiated	6.12.99
5.	When was the act of judgement	1.3.2001
6	How much time	3
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff: Smt . Sunila Banerjee Defendent : Pranab Kumar Choudhury

30.9.99

There was a Title suit no. 197/1994 by the learned 5th court of the civil judge at alipore. The original case in brief is that the owner of the said land bequeathed a property that was lying vacant in favour of amulya kumar bannerjee who later died leaving behind the plaintiff 's widow and one son and daughter. Serious trouble aroused between the plaintiff's widow and plaintiff's children and the suit was partitioned accordingly. The relationship with son's wife and plaintiff's widow has become strained , the son is said to have been creating pressure to vacate the room. The plaintiff sent a registered notice via her advocate to vacate the room where the son and his wife stayed , yet still they did not vacate. The notice was judged in terms of it legality, validity and sufficiency and the plaintiff's prayer was dismissed on these terms. The plaintiff was so aggrieved that she filed another case named 246/99 to get justice for the same.

The memo of appeal has been filed as against the judgement and decree passed in T.S 197/99 by the learned civil judgement 5th court at alipore . Registered court fees Rs. 2123 is correct . Requisition put in . Issue notice upon the respondents through court as well as by registered post with A/D . To fix 6.12.99 for return and acknowledgement.

6.12.99

Hazira filed for appellant with postal receipt . There is no return as to the notice and acknowledgement. To fix 11.2.2000 for return acknowledgement.

14.2.2000

The record was put up on 11.2.2000 due to holiday on account of saraswati pujo. There is no return of notice through court. To fix 16.3.2000

16.3.2000

Hazira filed for the appellant acknowledgement return of the service of noticw upon the deft 1 and 3. The services are satisfactory . Thus it is allowed. Respondent number 2 has come for appearance via power. Call for LCR. To fix 23.5.2000 for order awaiting LCR

23.5.2000

Respondent number 1 has made appearance via power. Lcr has been received from the court below Appellant has filed a petition for an order to transfer the instant appeal to afftional district judge at alipore. Perused the petition . Considered and prayer is allowed. Lat the appeal be transferred to the 3 rd additional district court.

29. 5.2000

Record received and transferred from the district judge south 24 parganas , Alipore for disposal. To fix 5.7.2000 for hearing the appeal in presence of both sides.

5.7.2000

Appellant files hazira . Respondent files a petition praying for a adjournment on the ground stated therein. Hence , considered. Prayer is allowed. Adj till 16.8.2000 for hearing and appeal

16.8.2000

Appellant files hazira. Respondent files a petition praying for the adj on the ground stated. Copy served . Heard both sides . Prayer is allowed. Adj till 15.9.2000 for hearing and appeal

15.9.2000

Appellant files hazira. Respondent files a petition for adj. Copy served and prayer allowed Adj till 1.11.2000 .

1.11.2000

Appellant files hazira . Respondents files a cross objection u/s 5 of the limitation act 1963. Order was given.

8.11.2000

Respondent files a court fee on cross objection. Let it be kept with record. To fix 1.12.2000 for filing appeal.

1.12.2000

Both he parties files hazira. Due to cease work of the local bar council. To fix 4.1.2000 for hearing and appeal

4.1.2001

Both parties fil hazira. Both parties file a petition praying for adjournment on the ground stated therein. Heard . Considered prayer. Adj till date 8.2.2001 for hearing appeal

8.2.2001

Both the parties file hazira . The appeal is taken up for hearing . Heard argument for appellant.Adj. 12.2.2001 or appeal hearing

12.2.2001

Both the parties filed hazira. The appeal is taken up for further being. Heard both sides in full . To fix 2.3.2001 for delivery and judgement.

23.2.2001

Judgement is delivered in open court . in separate sheet . The cross objection of defendant is cancelled and plaintiff's prayer is allowed , asking the defendts 1 and 2 to eave in 3 months

1.3.2001

Decree prepared , sealed and stated and signed by this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning		
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave		
4	Request by defendant	1	1
5	Request by plaintiff	4	5
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		
9	Awaiting order/instructions from High Court		
10	Scheduling error/holiday declared/strike	1	1
11	Adjourned for passing judgement		

Case No. 10

Sl. No.		
1.	Nature or type of suit	OS Case No. 2 of 1994 (First it was 76/90 , then 2 of 1994) Class 2
2.	Filed on	15.2.91
3.	Filed in which court	District court Alipore
4.	When it was initiated	15.2.91
5.	When was the act of judgement	27.3.98
6.	How much time	7
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff: Smt. TARA Ghosh Defendent : Bani Charan Ghosh

15.2.91

This is an application for grant of administration of the will of the estate of late Netai charan ghosh , who died on 9.10.84 refiled before this court. When 72/90 became contentious. Register the application as an original suit .

Present A.K DAS

Plaintiff files hazira. Derfendant no.s 7,8 and 9 have entered appearance by separate petitions praying for filing w.s. Heard . Prayer is allowed. To fix 19.3.91 for plaintiff to take steps.

19.3.91

Plaintiff files hazira . Defendant no. 2to 7, 8 and 9 file a petition praying for time for filing w.s . Considered . To fix 20.2.91 for w.s by defendant no.s 2to 7 , 8 and 9. On prayer of the plaintiff , time is allowed till 20.4.91

20.4.91

Plaintiff files hazira. On prayer time is allowed till 25.5.91 for filing w.s by deft. 1, 2 to 7 , 8 and 9. To date for taking step.

25.5.91

On prayer of the defendants time is allowed till 28.5. 91 for filinf w.s by deft. . To date for taking step as prayed by plaintiff

28.6.91

On prayer of the defendants time is allowed till 27.7.91 for filing w.s by deft.

27.7.91

On prayer of the defendants. Time is allowed till 26.8 .91 for filing w.s. by the defendants. To date for taking step against deft. No 8

26.8.91

On prayer of the defendants. Time is allowed till 26.8 .91 for filing w.s. by the defendants. To date for taking step against deft.

26.9.91

On the prayer of the appearing defendants , time is allowed till 4.12.91 for filing w.s. Plaintiff files petitions for service of summons upon deft no. 8 in the substituted manner. Prayer is allowed and issue of summons in the substituted manner is allowed with time fixed till 4.12.91 for return and appearance.

4.12.91

Deft. No 1 filed w.s . Copy served and kept with record. To fix 13.1.92 for return and further order.

14.2.92

Plaintiff files hazira. Service returns of deft 8 not received . On the prayer of the appearing deft. Time is allowed till 21.3.92 for filing w.s

21.3.92

Plaintiff files hazira. Time is allowed for filing w.s by deft till 25.4.92.

25.4.92

On the prayer of defts. Time is allowed for filing of w.s . To date for service return upon defts.

30.5.92

Plaintiff files hazira . On the prayer of the deft. 1, 2 and 7 time is allowed till 7.7.92 for filing w.s . To date for service return upon deft no.8

7.7.92

Plaintiff has filed for hazira. Respondent has prayed for time which is allowed till 12.8.92 for W.S.

12.8.92

Plaintiff has filed for hazira. Respondent has prayed for time which is allowed till 18.9.92 for W.S. and steps

18.9.92

On the prayer of the deft , time is allowed for filing w.s till 27.11.92

On prayer of plaintiff time is allowed till 27.11.92 for taking steps upon deft no. 8

27.11.92

On the prayer of the deft time is allowed till 15.1.93 for filing w.s.. To date for taking steps by plaintiff

15.1.93

Defendants no. 2,3,5 and 6 have filed joint w.s . Copy not served.

Plaintiff has filed a petition u/s 5 rule 20 cpc . To fix 1.4.93 for hearing of the petition and serving copy of w.s

1.4.93

Plaintiff files hazira. The petition u/s 5 rule 20 cpc is taken up for hearing . Heard the learned advocate for the plaintiff . Perused. I am satisfied that there is reason to believe tha defendants number. 8.9 and 10 are dellerberately avoiding service . The petition is therefore allowed. To fix 19.5.93 for filing necessary requisites.

28.6.93

Plaintiff filed requisites on 19.5.93 and it was tagged with another case of the year 1992. Perused. Next date for hearing is 19.8.93

19.8.93

Plaintiff files hazira. Summons upon the defendants in the substituted manner is not received as yet 24.11.93 for the return and appearance.

24.11.93

Hazira filed. Summons have been served uo the defendants in substituted manner. Defts don't appear neither file an objection. The suit is transferred to the 3rd court adj

5.1.94

Present H. Banerjee

Received the record on transfer from Id district judge alipore for disposal. To receive 2.3.94 for ex parte hearing

2.3.94

Plaintiff files hazira. Deft . Files a showcause petition praying for condonation of delay in filing . Copy served . Perused the petition. Cause is sufficient. Prayer is accepted. Let the w.s be accepted. Plaintiff files petition u/s 247 of Indian succession act. Copy served . To fix 29.4.94 for objection

29.4.94

Due to cease work of the local bar from 10.30 am , the case is adj to 1.6.94

1.6.94

Plaintiff files hazira. Defts file no objection against the said petition of succession act. Copy served and to fix 4.7.94 for hearing the petition. To fix 19.7.94 for framing issues. Parties to file suggesting issues.

4.7.94

Both parties file hazira and present with the respective lawyer . The case is taken up for hearing regarding the petition w/s 247 . Heard both sides.

At this stage deft files a petition praying for adj. Of further hearing . Petition is allowed till 20.7.94 for hearing of petition u/s 247

19.7.94

Issues are framed . To fix 24.8.94 for discovery on oath

Later

After above order is passed , deft file a petition praying for time for filing suggesting issues. Defts may file suggesting issues if any by the date fixed.

20.7.94

Plaintiff files hazira . Deft files petition praying for adj of hearing. Copy served and objected to . Next date fixed for hearing 29.7.94

29.7.94

Plaintiff files hazira. Defendant files a petition praying for adjournment of hearing on the petition . Perused the petition on the ground that senior lawyer is ill . Prayer is considered and allowed as last chance. To fix 10.8.94 for further hearing.

10.8.94

Both parties file hazira and present with their respective lawyers. The plaintiff 247 along with objection are taken up for hearing . Thus order was passed that the act of succession be allowed on contest against the defts and exparte against the others without cost. Till then the petitioner shall enjoy those rights and powers only for the benefit of the suit estate. To fix 17.9.94 for framing of issues.

24.8.94

Plaintiff files affidavit and deft. Files petition praying for time to obtain documents on discovery of oath. Prayer is considered.

17.9.94

Present S.P Talukdar

Plaintiff files hazira. Defendant files a petition praying for time for fetching the documents. Prayer is allowed. To fix 19.11.94 for getting documents.

19.11.94

Present S.P Talukdar

P.O is on leave . Plaintiff files hazira and deft file a petition praying for time to discovery on the ground stated therein . Prayer is allowed and next date fixed for discovery by the defendant is 7.1.95

7.1.95

Plaintiff files hazira. Deft files a petition praying for time to discovery on oath. Praying for last chance. To fix 17.1.95 for discovery by discovery.

Later

Plaintiff files verified petition praying for fixing an early date of petition hearing. Put up on the date fixed.

17.1.95

Plaintiff files hazira. Deft files a petition praying for time which is allowed and last chance is given AND NO FURTHER DATE CAN BE ALLOWED. His prayer for further date stands rejected. To fix 31.1.95 for hearing on petition for petition hearing.

31.1.95

Both parties files hazira . To fix 7.1.95 for put up. Perused the petition and prayer is allowed. To fix 6.4.95 for hearing of suit.

6.4.95

Plaintiff files hazira and defts prays time for adj. For taking steps which is allowed till 29.5.95 for petition hearing . Call for record by next date.

29.5.95

Both parties are present , filing respective hazira. The defts have filed two petitions and are objected to. Heard and considered. One of the petition is not opposed by the other side lawyer. Plaintiff prays for further evidence. To fix 14.7.95 further evidence

14.7.95

Both parties file hazira and plaintiff's case is taken up for hearing. Defts file petition for adj. Of further hearing which is allowed.

5.8.95

Both parties file hazira . PW2 AND PW 3 are examined and discharged. Deft files prayer for adj. And next date fixed for hearing is 19.9.95 for further hearing.

19.9.95

Appellant files hazira and respondent files a petition along with a copy of medical certificate praying for further hearing 's adj. To fix 22.11.95 for further hearing.

22.11.95

Both parties file hazira. Defendant files a petition praying for adj. And objection is filed. Next date for hearing is 20.1.96

20.1.96

Both parties file haziras with their learned advocates. The case is taken up for further hearing. DW1 and dw2 are examined and cross examined and discharged. At this deft files petition for adjournment. Adj. till 28.2.96 for further hearing.

28.2.96

Both the parties filed haziras. Deft files a petition for further hearing of DW1 AND DW2 . Copy served and objected to. Prayer is allowed subjected to objection raised by DW1 . Defendant pray for further defence evidence . To fix 9.4.96 for further hearing.

12.3.96

On the prayer of the respondentsa. Issue of summons upon the witness through court and registered post. Requisite files along with process fee. To date for return

9.4.96

Both parties file hazira and present with their learned advocates. THE CASE IS TAKEN UP FOR FURTHER HEARING. Dw3 IS EXAMINED AND CROSS EXAMINED AND DISCHARGED. Evidence is closed. At this stage defendant files an application supported by an affidavit praying for appointment of handwriting expert on the ground stated therein. Copy served and objected to. To fix 17.5.96 for hearing of petition dated 9.4.96

17.5.96

Both parties file hazira and present with their learned advocates. Plaintiff files a written objection agreement the prayer for appointment of handwriting expert. Heard and perused the depositions of witness examined on behalf of both the parties and documents . Hence it is ordered that the petition filed by the defts for the appointment of handwriting expert stands rejected on contest. To fix 8.7.96 for further evidence if any.

8.7.96

Defts file hazira. Learned advocate for the plaintiff files a death report that plaintiff of this case has died on 27th may 1996 which is kept . To fix 30.8.96

8.8.96

Defendant Sri Charan Ghose filed a verified application u/01 rule of cpc praying for transfer the petition to the category of the plaintiff in place of deceased . Copy served and strongly objected . Let it be kept with records.

30.8.96

Plaintiff files objection against the petition u/s 1 rule of cpc . Copy served and objected to. To fix 27.9.96 for hearing the petition u/s 1 rule cpc.

27.9.96

Plaintiff files hazira and deft files petition praying for adj. Of hearing the petition u/s 1 r. Prayer is allowed Adj till 29.11.96

29.11.96

Both parties file hazira. P.O is on leave and adj. Till 16.1.97

16.1.97

Present Sri T.D Banerjee

Plaintiff files hazira and deft files a verified petition praying for time and adj of hearing . Prayer allowed. To fix 19.2.97 for hearing the petition.

19.2.97

Plaintiff files hazira Deft files a hazira. Plaintiff prays for time. Prayer is allowed . To fix 25.2.97 for filing ruling of order.

25.2.97

Defendant files hazira. The learned adv has cited rulings. Heard.

Later

The application dated 8.8.96 u/s 1 to be disposed on contest giving direction to the applicant to take necessary steps as per observation made in the body of this order in view of the decision made in 1963 AIR p.456

4.4.97

Plaintiff files a verified petition u/s 6 rule 17 praying for amendment of plaint on the ground stated with petition . To fix 25.4.97 for filing objection .

25.4.97

Plaintiff files a petition furnishing showing servin of copy of plaintiff. Defendant file an objection. Copy served. To fix 6.6.97 for hearing the petition u/s 6 rule 17 cpc

6.6.97

Both the parties file hazira. P.O was transferred . P.O in charge is busy . Thus adj to 18.7.97 for hearing the said petition.

19.7.97

Present Sri P. Bhattacharjee

On 18.7.97 being declared holiday . Adj till 4.9.97

24.7.97

The record is put up by plaintiff and supported by affidavit. To fix 5.8.97 for further hearing of plaintiff

5.8.97

Present sri S Chakraborty

Both parties file hazira . P.O is on leave Thus adjourned till 12.9.97 for hearing of petition

4.9.97

Both the petition file hazira. The petition under section 6 of rule 17 is rejected as not pressed by advocate. On the prayer next date 10.11.97 for taking steps.

12.9.97

Hazira filed by deft. Plaintiff files an objection against petition 151 cpc. Plaintiff files a petition u/s 6 rule 17. P.O is on leave. Thus adj 4.11.97

4.11.97

As the member of the local bar association do not proceed in court proceeding today. Thus adj to 10.11.97 . Plaintiff files hazira and deft file an adj. Petition

10.11.97

Both parties file hazira. P.O is engaged . Adj to 3.12.97 of hearing of petitions

3.12.97

Plaintiff files hazira. Defendant files objection against petition. P.O is on leave thus adj. Till 21.1.98

21.1.98

Both parties file hazira. The petition is allowed on consent of both sides with amend the plaint and note it in the register. Let the petition itself be treated as part of the plaint. To fix 9.2.98 for argument.

9.2.98

Plaintiff files a petition praying for adj . which is allowed. Till 23.2.98 for argument.

23.2.98

Plaintiff files hazira . Defendant files a petition praying for adj. Till 4.3.98 for argument . Additional w.s.if any in the meantime.

4.3.98

The petition of 151 crpc is being heard today and this petition as per the order given by the learned court stands rejected at no cost.

The petition under order 6 rule 18 read with 151 cpc code is taken up for consideration in presence of both sides . Heard advocates of both sides.

This petition is also rejected on contest with no cost. The formal order is passed by which the date is extended today for filing the amended plaint for the interest of justice. To fix 6.3.98 for argument.

6.3.98

Both the parties files hazira. As per resolution of the local bar, adj til. 9.3.98

9.3.98

Both parties file hazira. Heard argument in full . To fix 12.3.98 for delivery of judgement.

12.3.98

P.O is busy in sessions case. Adj to 17.3.98 for further argument and judgement.

17.3.98

Ld advocate of both sides are present. Plaintiff files a petition praying for time to take steps for depositing highest court fee for granting letter of administration . Prayer is allowed. To 18.3.98 .

18.3.98

Plaintiff files a petition praying for time on the goods stated in the prayer is allowed. To fix 25.3.98 for further hearing.

25.3.98

Court fee of Rs. 10000 is adj. Filed as per the furnished document. Let them be kept the narrow. To fix 27.3.98 for delivery of judgement.

27.3.98

Judgement not delivered in open court in separate sheets. The is allowed on contest with cost. Letters of administration is granted in favour of plaintiff.

2.4.98

Decree prepared , sealed and signed by this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	6	10
2	Presiding officer busy	2	2

3	Presiding officer on transfer order		
3	Presiding officer on leave	5	7
4	Request by defendant	24	41
5	Request by plaintiff	1	1
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	2	4
11	Adjourned for passing judgement		

Case No: 11

Sl. No.		
1.	Nature or type of suit	T.S. : Case number 256/ 2005 Class 1
2.	Filed on	15.7.2005
3.	Filed in which court	District court Alipore
4.	When it was initiated	16.7.2005
5.	When was the act of judgement	25.5.10
6.	How much time	5
7.	What was the result	Dismissed on contest
8.	Filed by	Plaintiff : Shri Surendra Narain Tiwari Defendent: HDFC Bank

15.7.2005

Register , the plaint is filed today. The required court fees is rs. 20 . Requisites put in and issue of summons upon the defendant in both ways filing 23.9.05 for a/c.

The plaintiff purchased a flat on loan from the defendent which is of 3lakh with an equal monthly instalment of 2625 which was being regularly paid by the plaintiff for a period of 6 years. The subsequently the said loan was enhanced to the extent of 5.95 lakhs for an emi of 7212 for 8 years . This EMI has also been paid till 6th august 2003. The plaintiff is a headmaster at Haltu . The dispute arose between the plaintiff and defendant regarding payment of interest for home loan which has come down . With repeated requests for reducing the interest rate for the loan , the defendant didnot reduce it at all , resulting stoppage of payment since 1st feb 2005. The defendents men and agents came and threatened the plaintiff with dire consequences. That the cause of action arose on 15.6.05 at 11 am when the plaintiff was threatened by the defendants . Based on contention , the suit was filed .

15.7.05

The plaintiff files a petition u/s 39 ranks 1 and 2 read with 151 cpc and 94 (c) cpc code supported by an affidavit praying for an order of temporary injunction along with an order ad injunction restraining the defendant and the men disturbing in the peaceful possession of the plaintiff in the suit premises described in the schedule.

16.7.2005

An affidavit alongwith one postal receipt served by the plaintiff in compliance of petition u/s 39 . Requisites put in . Issue the same accordingly.

8.8.05

P.O is on leave. To fix 7.10.05 for next date hearing.

7.10.05

Plaintiff files a petition supported by an affidavit praying for extension and inter order injunction on the ground stated therein. The prayer is considered and allowed. To 13.12.05 for SR AND ad extension order be excluded till date .

13.12.05

Plaintiff files a petition supported by an affidavit praying for exclusion of inter order of injunction. Deft. File a petition praying for time to file w/s . To fix 7.2.06 for filing w/s and power and the interim order be extended till date.

7.2.06

Plaintiff files no hazira. Plaintiff takes no steps. To fix 23.3.06 for filing w.s by defendant.

23.3.06

Defendant files hazira. To file 11.5.06 for w/s for ends of justice.

11.5.06

Both parties take no steps. Plaintiff is directed till 29.8. 06 for show cause as to why this suit shall not be dismissed and filing of w/s by defendant.

29.5.06

Defendant files a w.s. . The copy to be served by the plaintiff. Plaintiff takes no steps. To file 19.12.06 for showcause by plaintiff and objection to be filed if any.

19.12.06

Deft . files hazira and plaintiff files show cause. To fix 15.3.06 for serving copy of w.s. and also for petition hearing.

15.3.07

Both parties files hazira . Due to cause of work , to fix 20.6.07 for petition hearing.

02.6.07

Defendant files hazira. The a/d card is received by court. Plaintiff files a petition under order 6 rule 17. To fix 7.8.2008 for hearing of 6 rule 17

7.8.2008

Defendant files hazira. Plaintiff has files petition for order. Handwriting illegible. To fix 12.11.08 for hearing of petition for hearing of 6 rule 17

12.11.08

Defendant files hazira. Plaintiff files a prayer for a copy with cost rs. 1000 . To fix 12.1.09 for hearing of petition and order.

12.1.09

Defendant files hazira . Plaintiff files a petition for amendment . Heard and prayer is allowed. To fix 26.2.09 for hearing of petition and to date.

26.2.09

Defendnat files hazira. Due to cause of work , to date 22.4.09 for hearing of petition.

22.4.09

Defendant files a hazira. Plaintiff files a petition for adj. Copy served. Ld. Advocate of the defendant filed steps for objection against the opposition party . To fix 23.4.09 for petition hearing.

23.4.09

Defendant files hazira. Plaintiff files a petition for adj. Heard and allowed . To fix 25.5.09 for petition hearing.

25.5.09

Both parties file hazira. As per the resolution of the Bar , next date to fix 08.07.09 for hearing of petition.

08.07.09

Both parties file hazira. The petition dated 6 rule 17 . Heard . It appears that petition dated 2.5.08 stands pending for disposal. Heard and perused. The amendment is found in notice. It will not change nature . Accordingly the amendment u/s 6 rule 17 cpc. To fix 21.8.09 or steps and petition hearing.

21.08.09

Defendant files hazira. Plaintiff files a petition for adj. Heard and prayer is allowed. To fix 09.11.09 for petition hearing.

09.11.09

Both parties files hazira. Due to cause of work , petition hearing is 11.1.10 for petition hearing.

11.1.10

Deft files hazira. On the prayer of the plaintiff the case is adjourned. To fix 05.04.10 for hearing the petition u/s 7 rule 11 cpc

5.4.10

Parties filed hazira .Plaintiff prays for time for complying order 6 rule 18 cpc. . The record reveals that the prayer for amendment was allowed on 8.7.2009 and the plaintiff was directed to comply order 6 rule 18 by the next date . But on the next date the plaintiff prayed for adjournemtn on the ground of his laqwyer which was allowed.Taoday the plaintiff prays for adj. On the ground of the illness of his client. Also the learned court saw that lot of time has been given to plaintiff for reply to petition under order 6 rule 18 cpc , thus the adjournement stands rejected and plaintiff must reapear for hearing.

Thus the plaintiff's suit under section 6 rule 17 stands dismissed on contest because of the claims of action not found suitable according to the suit.

25.5.10

Decree prepared , sealed and signed.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	5	17
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave	1	3
4	Request by defendant	2	3
5	Request by plaintiff	7	14
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	3	8
11	Adjourned for passing judgement	1	2

Case No.12

Sl. No.		
1.	Nature or type of suit	T.A. 327/92 , Class 1
2.	Filed on	11.8.92
3.	Filed in which court	District court Alipore
4.	When it was initiated	27.8.92
5.	When was the act of judgement	31.3.94
6.	How much time	2
7.	What was the result	Dismissed on contest
8.	Filed by	Plaintiff : Gour Chandra Halder Defendent: Ekadashi Halder

This is an appeal against the judgement and decree dated 28.6.88 passed by sri. P.N Bhaduri. The case is over a disputed deed presented by the defendants as opposed to the proposition of the contentious property being a joint property. The initial suit was 34 of 1975.

11.8.92

Register court fees paid Rs. 15 is correct . Requisite that petition on prayer of the appellant , time is allowed till 27.8.92 for filign requisite.

27.8.92

Appellant files a petition u/s 41 r 14 (4) cpc . Praying for dispensing with the service upon the respondents. To 12.11.92 for hearing the petition.

12.11.92

Appellant files hazira. The petition u/s 41 rule 14 of cpc is taken up for hearing . Heard the learned advocate for the appellant . Perused . Considered It is stated that the respondent contest in the suit of the trial court . Hence summons to be issued on respondents and allowed. To fix 8.12.92 for taking steps

26.11.92

Requisite put in. Put up on the date fixed for further order. Call for LCR.

9.12.92

Yesterday having been directed bharat bandh. The record is put up today for order . To decide for 21.12.92 for hearing and order.

21.12.92

Requisite already put in . Admit the appeal. Issue notices simultaneously through court and by regd post fixed 9.2.93 for return and A/D Postal receipt at once. Call for the record.

9.2.93

Postal receipt are filed But neither service returned not A/D returned after service. To fix 29.3.93 for service return and A/D . Respondent 3 has appeared with power.

9.3.94

Respondent no.1. and 2 have entered appearance by filing power . Also file cross objection Copy served and objected to. To date for further order . the petition and power be kept with the record.

29.3.93

All service returned and A/D after service. To fix 21.4.93 for record and order.

21.4.93

Lower court record has not yet been received from the court . To fix 2.6.93 for record and order.

3.6.93

Yesterday having declared holiday , the record is out up today for order . To fix 9.6.93 .

19.6.93

Let petition be received and checked. The appeal is ready for hearing.

7.7.93

Transferred to 9th adj for disposal

Received the record from the Id district judge , alipore for disposal. To fix 20.8.93 for hearing of appeal

20.8.93

Parties fil hazira . Appeal is called and taken up for hearing . Heard arguments , learned advocates of both sides in full. To fix 30.8.93 for delivery and judgement.

9.3.94

Received w.s for put up . Delivery of judgement fixed. To fix 22.3.94 for delivery of judgement after receiving documents of evidence.

Since documents not ready . To fix 31.3.94 for delivery judgement.

31.3.94

Judgement delivery today that the appeal be dismissed on contest against reposndent with exparte against . Cross objection is allowed n part. Order against exparte is given . Details perused and judgement given.

8.4.94

Decree sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	5	3
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave		
4	Request by defendant		
5	Request by plaintiff	1	3
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement		

Case No. 13

Sl. No.		
1.	Nature or type of suit	T.A. 408/92 ,class 1
2.	Filed on	21.9.92
3.	Filed in which court	District court Alipore
4.	When it was initiated	18.11.92
5.	When was the act of judgement	7.9.95
6.	How much time	3
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff : M. Ghosh Defendent: Swapna Ghosh

Present Sri G.C Dey Dictrict Judge

21.9.92

Register due court fee of Rs. 15 . Requisites put in . This appeal is filed today within the time limit . Appeal is admitted . Serve notice upon the respondent simultaneously through court and regd ost with cost. To date 2/12/92 for return and adverse call for the learned counsel.

The plaintiff and the defendants are the the ones who have inherited the said property and are joint owners of it. It is alleged that after the death of the mother of the defendants and mother in law of the plaintiff , the defendants started putting torture on the plaintiffs in respect of the joint possession of the suit premises , the partition was not done amicable which resulted in the suit. All the defendants denied the allegations and has prayed for the dismissal of the plaint case.

18.11.92

Respondent appeared by vakalatnama . Put up on the date fixed for order.

21.2.92

The appeal is ready for hearing.

5.12.92

Received T.A no. 408/92 by transfer from the learned district judge , south 24 parganas , alipore along with LCR (lower court record) for disposal. To fix 4.2.93 for hearing of the appeal

4.2.93

Appellant files hazira. Respondent files a petition praying for an adjournment on the ground stated therein . Heard as no objection is raised , the prayer is allowed.

To put 15.3.93 for hearing of the appeal

15.3.93

Report no.s 1 and 2 files a petition for praying for direction upon the appellant to serve copy of the news of appeal and praying for adjournment. Apellant files hazira and files copy of gift deed with firisti .and also files an application u/o – 4 rule 27 cpc supported with affidavit praying for allowing him to

adduce additional evidence . Copy served . He also files a petition praying for taking off the appeal from P. Board before hearing this petition . Heard both sides Appellant to serve the copy of the memo of appeal to the respondents forthwith . The appeal be taken off from P. Board . To fix 12.4.93 for hearing the petition u/s 41 rule 27 cpc. Objection can be filed in the meantime.

12.4.93

Appellant and respondent file haziras . Respondent files objection against the petition files by the appellant u/o 41 rule 27 cpc. Copy to be served as per endorsement that the learned ad of the appellant is not available The appellant though filed for hazira are found absent on repeatable calls when this petition is taken up for repeated calls when this petition is taken up for hearing . Learned lawyer of the applicant is also not present in court when the petition is taken up for not present court . When the petition is taken up for hearing . Learned lawyer of the applicant is also not present in court when the petition is taken up for hearing . Learned lawyer of the respondent is present. So this petition is rejected for non – prosecution.

To fix 19.5.93 for hearing of the appeal

23.4.93

Appellant files a put up petition praying for moving an application u/s -151 cp code supported with affidavit , praying for setting aside the order no. 7 dated 12.4.93 and for allowing the petitioner to proceed with the application u/o -41 rule 27 cpc ater condoning his latches . Copy served . Accordingly the record is put up today. Respondent files a written objection against application u/s 151 cpc filed by the appellant . As I was busy i taking up sessions case , this petition cannot be heard be today . To fix 6.5.93 for hearing the petition u/s 151 cpc code

6.5.93

Appellant files hazira . Respondent files a petition praying for an adjournment on the ground therein. The petition is shown . Heard prayer is allowed. To fix 19.5.93 for hearing the petition u/s 151 of the cpc . The hearing of the appeal cannot be taken on that date as already fixed.

19.5.93

Partied file hazira and ready . But as P.O is on leave and I am busy with my own file , the matter is delayed. To fix 24.6.93 for hearing the petition u/s 151 cpc . The hearing of appeal be taken off rom P. Board till disposal of the said petition.

24.6.93

Parties file hazira. Respondent files a petition praying for an adjournement for the reasons stated therein . The petition is shown . Heard prayer is allowed as no objection is raised. To fix 22.7.93 for hearing the petition u/s cpc.

22.7.93

Parties file haziras. As the learned lawyers cease to work today from 12 pm adj. To fix 13.8.93 for hearing the petition u/s 151 cpc.

13.8.93

Parties file haziras and ready . The petition u/s 151 cpc is taken up for hearing . Heard the learned lawyer of both the parties . Learned lawyer of the appellant himself files an affidavit to show bonafideness of allowing his petition u/s 151 cpc

This above said petition was filed u/s 151 of the cp code and the affidavit sworn by the learned lawyer of the petitioners. But the lawyer was busy in other court so couldnt come.

The petition filed u/s 151 of the cp code is allowed and the order dated 12.4.93 is set aside.

Thus to fix 10.9.93 for hearing of the petition filed u/s 41r 27 of the cpc code.

10.9.93

Respondent files hazira while appellant takes no step. As per resolution of the bar association as I am not taking seat from 2pm , the matter is adjourned . To fix 20.9.93 for hearing of the petition u/s - 41 r 27 of the cp code.

Both parties files hazira and ready . This petition u/o -41 rule 27 cpc is taken up for hearing . Heard the learned lawyers of both the parties.

20.9.93

Both parties file hazira and ready . The petition u/o 41 rule 27 cpc is taken up for hearing . Heard the ld lawyers of both the parties.

30.9.93

The record is put up today. The appellant need time to produce the gift deed. But the judge didnot find cogent reasons to allow the prayer of the appellant . Accordingly the prayer of the appellant is rejected on contest.

To fix 25.11.93 for hearing of the appeal.

25.11.93

The report 1 and 2 have filed hazira and learned lawyr of the respondent is present. No step has been taken by the appellant and the name appears on the side of the appellant on repeated calls.

The appeal is dismissed for default without costs.

16.12.93

Seen the requisition no 12 dated 15.12.93 for passing final decree of the T.S No- 14/91. Considered , send the record at once with direction to return the same after passing final decree.

Misc case no- 24/93

T.A NO – 408/92 u/s 41 RULE 19 READ WITH SECTION 151 CPC CODE.

21.12.93

This is an application u/o 41 supported with affidavit and vakalatnama filed by the petitioners/ appellant praying for restoration of T.A -408/92 to its original file after setting aside the order of

dismissal dated 25.11.93 on the ground stated therein. Necessary requisites with process fees. This case is registered and notice upon op/ respondents asking them to showcause as to why the prayer of the petitioners shall not be allowed . Notice be served upon them through court and by regd post. To fix 31.1.94 for order awaiting return postal receipt on that date.

31.1.94

Petitioner files hazira. But postal receipt not filed . No s/r. To fix 2.3.94 for order awaiting return . Postal receipt be filed on that date.

2.3.94

Petitioner files a petition praying for a date . Ops enter their appearance by filing written objection supported with affidavit . Copy served . To fix 18.3.94 for hearing the misc case.

18.3.94

Parties files hazira and ready . but P.O is on leave. Hence adjourned . To fix 13.4.94 for hearing the misc case.

13.4.94

O.P files hazira , petitioner files a petition supported with misc case praying for adjournement. Heard . considered and prayer is allowed as last chance

To fix 3.5.94 for hearing the misc case.

3.5.94

As cease work is continuing since 25.4.94 , lawyers have not appeared , parties are also absent . Hence adjourned . To fix 24.5.94 for hearing the misc case.

24.5.94

Both parties being ready the misc case is taken up for hearing . Heard the submission of the learned lawyer of both sides. Considered . Let the misc case be allowed subjected to payment of cost of Rs. 100 to the op

To fix 31.5.94 for payment of cost and for necessary order.

31.5.94

Petitioners file receipt with firisthi showing payment of cost of rs 100 to the ops. In view of the preceeding order , the misc case no 24/93 is therefore allowed and the appeal be restored to its original file and number.

T.A – 408/92

In view of above order , T.A 408/93 is restored . To fix 27.6. 94 for hearing the appeal.

27.6.94

Both the parties have filed hazoiras through lawyers . P.O is transferred . Hence adj. To fix 13.7.94 for hearing the appeal

13.7.94

Parties have filed haziras . P.O has since been transferred . Hence adjourned. To fix 8.8.94 for hearing the appeal

8.8.94

Parties have filed haziras and ready . Successor has not yet joined. To fix 6.9.94 for hearing the appeal.

6.9.94

Appellant has filed hazira and also has filed a verified petition praying for stay of the final decree proceeding in T.S no. 14/91 FOR THE REASON STATED THEREIN . Copy served and objected to. Respondent has filed hazira. Heard the submission of the learned lawyers of both parties. As the LCR is sent down to the lower and is not readily available hearing of appeal be adj.

To fix 27.9.94 for hearing the appeal and petition filed today objection if any in the meantime. lcr be called for at once.

27.9.94

Both parties have filed haziras and ready . As LCR not yet reached , the matter be adj. LCR be called at once.

To fix 15.12.94 for hearing appeal and the petition.

15.12.94

Both parties have filed haziras and ready with their ld lawyers . At the time of taking up the appeal for hearing , it appears that LCR has not yet reached in spite of sending requisites in the month of SEPT 194. Considered. In absence of LCR , hearing is adjd. Issue urgent reminder . Fix 3.1.95 for receipt of LCR Date of hearing appeal be fixed after receipt of the same.

LCR received . Appeal is therefore ready . Fix 11.1.95 for hearing appeal.

11.1.95

Learned lawyers of both parties being present , the instant appeal is taken up for hearing . Heard appellant's lawyer in full . No time today.

Next date for hearing is 12.1.95

12.1.95

Both parties have foiled haziras . Hearing of the appeal resumed . Heard respondent lawyer in full . Also heard appellant's lawyer in reply but in part. On this prayer , hearing deferred. To fix 17.1.965 for further hearing of appellant's lawyer in reply.

17.1.95

Both parties have filed haziras and ready . Further hearing resumed . Heard learned lawyer of the appellant in reply. Hearing is closed. To fix 31.1.95 for judgement.

31.1.95

Judgement not ready. To fix 18.2.95 for judgement .

18.2.95

Judgement not ready . To fix 4.3.95 for delivery of judgement.

4.3.95

At the time of taking up the appeal for writing out judgement . Judge thinks that some clarification is required . Hence to fix 11.4.95 for clarification. Inform lawyers of both parties.

11.4.95

On 11.4.95 bring a holiday on the demise of ex- prime minister morarji desai record is put up today. To fix 18.5.95 for clarification

18.5.95

Learned lawyers of both parties are present and ready . ADJ busy.

To fix 30.6.95 for clarification.

30.6.95

Parties are present with their lawyers and ready. The appeal is taken up for hearing i.e for clarification on certain points . Heard them in full . To fix 17.7.95 for judgement.

17.7.95

The judge was busy. To fix 5.8.95 for judgement.

5.8.95

Judgement in eight separate sheets is delivered today. The appeal is dismissed on contest with cost. The judgement was given to the modification like the plaintiff/respondents 11/15th share in the suit premises each of the defendants/ appellants 1/15th share also is to be specifically mentioned in the decree. Judgement is kept in the record.

24.8.95

Decree is sealed and signed this day.

7.9.95

A verified petition on behalf of the respondent no 1-2 is filed praying for sending back the LCR of T.S. no- 14/91 to the court of assistant district judge of alipore for passing final decree. The record to be returned.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	6	8
2	Presiding officer busy	4	4
3	Presiding officer on transfer order		
3	Presiding officer on leave	2	2
4	Request by defendant		
5	Request by plaintiff		
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	1	1
11	Adjourned for passing judgement	3	3

Case No. 14

Sl. No.		
1.	Nature or type of suit	T.A 188/95 , Class 1
2.	Filed on	2.6.95
3.	Filed in which court	District court Alipore
4.	When it was initiated	21.7.95
5.	When was the act of judgement	25.11.97
6	How much time	2
7.	What was the result	Rejected. Plaintiff applies for appeal
8.	Filed by	Plaintiff : Gour Chandra Naskar Defendent: Smt . Pusparani Naskar

2.6.95

Register Court fee paid . Requisites filed but requisites are incomplete. To fix 22.6.95

22.6.95

Complete requisite not filed . To fix 21. 7.95 for filing all of them.

21.7.95

Appellant takes no steps . Appellant to show cause by 19.8.95 as to why the appeal shall not be dismissed for default.

27.7.95

Appellant files a verified petition for taking steps after date fixed. Complete requisites also filed to date.

31.7.95

Appellants have filed a petition for temporary injunction which is allowed till 19.8.95

19.8.95

Appellant files an affidavit as per the date 31.7.95.

Requisites put in . issue of injunction and show cause according to dated 31.7.95

19.8.95

Appellant files a petition for extension of injunction. Complete requisites for service of notices of the appeal have not been filed . To date 12.12.95 for filing complete requisites.

Present shri S.P Dutt

24.8.95

Service return is not received . It appears that notice in T.A is not issued . To fix 12.12.95 or return and appearance.

Also the petition for interim injunction's extension is allowed.

12.12.95

Present R.S. Gupta

Notices have come back unserved. To date 16.2.96 for steps for service of notices upon the respondents.

Interim petition is extended till 16.2.96 after being heard.

16.2.96

Respondents 1 to 8 have entered appeared notices to the rest of the respondents , has come back as not claimed.To date 18.5.96 for steps of service of notices upon respondent 8. Also interim injunction is extended till 18.5.96

20.5.96

18 having being observed a cease day , today the record has been put up. 18.7.96 has been fixed for taking steps. Appellant has again filed for extension of interim petition which is allowed till 18.7.96.

6.6.96

Record is put up today by appellant. To fix 18.6.96 for hearing of the petition.

18.6.96

Appellant files hazira. The petition u/o 5 R 20 P.C is taken up for hearing. Heard . The respondents are intentionally avoiding service. The petition is allowed. Issue notices upon the respondents 8 to 17 in substitute manner fixing 28.8.96 for its return and appearance.

18.7.96

Both parties file hazira. No time today. The case is adjourned to 28.8.96 for hearing the petition for dispensing with service of notice upon respondents. LCR HAS BEEN CALLED FOR.

28.8.96

appellant files hazira. Appellant has not filed requisites in pursuant to the order no 14. Appellant is put in requisites positively by 3.10.96

3.10.96

Appellant files hazira. Appellant files appeal praying for time to take. Considered. To fix 14.11.96.

14.11.96

Appellant files petition . Praying for time for show cause of steps. Considered steps.

28.11.96

Appellant files a petition . Praying for time to take steps dhowing reasons . Considered prayer is allowed. To fix 13.12.96 for steps

13.1.96

Appellant files for petition praying for time to take steps . Considered . Prayer is allowed. To fix 2.1.97 for steps

22.1.97

Requisites put in . Issue notice upon the respondent by registered post with A/D . To fix 03.97 with A/D.

27.1.97

Requisites put up Appellant files petition for extension of injunction . Showing reasons there. Put upon 28.1.97 for order.

28.1.97

Heard the learned lawyer for the appellant . The record dosnot indicate that the appellant are prompt to comply with the direction of the court with a view to proceed with the heaing of the appeal. Anyway next date is fixed on 20th march 1997 . In that matter belated prayer of the appellant for the extension of the interim order of injunction is considered afresh from this date till next date and unless it is extended there will be no injunction against the respondents. Appellant should take steps accordingly.

18.2.97

On the prayer of the respondent no 1 to 7 the record is put up today on 19.2.97 for order.

19.2.97

The petition filed by the appellant for dispensing with service of notices for the appeal is put up for respondents. It asserted that the said proforma respondents didn't appear not contested . In view of the facts and circumstance. Service of notices upon the proforma respondents be dispensed with . To fix 5.4.97 for further steps .

20.3.97

Appellants file a petition praying for extension of the interim injunction . Heard . Considered . L.c.r has been received . To date 17.6.97 for LCR and order. The interim injunction is extended till 17.6.97

Issue urgent reminder for LCR.

5.4.97

Lcr received . Put up after date fixed for future order .

10.4.97

Record is put up for prayer of respondent . Put up on 11.4.97

11.4.97

Appellant files hazira . LCR IS RECIEVED . The appeal is otherwise ready . The appeal is transferred to the 5th court of the asst additional district judge . Alipur for disposal.

Present : Shri B.C. Biswas

27.5.97

Received the record by transfer To fix 23.6.97 for hearing appeal.

17.6.97

Appellant have filed an application supported with affidavit praying for extension of interim. Lawyer of the respondent not available. Copy not served as it appears. Keep it in record for disposal on the date fixed 23.6.97

23.6.97

Appellant files a petition or adjournment . Respondent has not objection . The case is adj. Till 28.7.97 for hearing of the appeal. Interim injunction till disposal of appeal.

28.7.98

Both parties have filed haziras . Appellant has filed a petition praying for extending interim injunction. As court id allowed , prayer is vacant . Interim injunction is allowed till disposal of the case. To fix 18.8.97 for hearing of the appeal

18.8.97

Appellantr has prayed for adjournment by filing a petition . To fix 4.9.97 for hearing of the appeal

4.9.97

Appellant have prayed for adjournment Respondent has not objection . Adjournment as last chance. To fix 4.11.97 for hearing appeal.

4.11.97

Ld. Lawyers of both parties being present , appeal is taken up for hearing . Heard appellant lawyer in full and respondent in part . On his prayer to fix 5.11.97 for further heaing .

5.11.97

Learned lawyer of both parties being present. Heard both the lawyers. To fix 25.11.97 or judgement.

25.11.97

Judgement in 7 separate sheets is delivered today.

6.12.97

Decree is sealed , signed today.

15.1.98

Record is put up today by filing a petition for appellants praying for necessary correction in the ordering portion of the judgement. O decree of this appeal. To fix 22.1.98 for hearing of this petition.

22.1.98

On the prayer of the respondent no. 1 to 7 , it is adj . To fix 4.2.98

4.2.98

Haziras filed by parties . Due to court reference it is adjourned till 9.2.98

9.2.98

I am busy in sessions court . No time today . Hearings filed and objection kept in record.

13.2.98

Lawyers of both parties being present , the petition dated , 15.1.98 of appellant is taken up for hearing.

To fix 26.2.98 or order.

26.2.98

The record is put up today for order. Judge heard both the parties and it has been rejected on costs.

5.3.98

Appellant has prayed for return of the copy of the judgement and decree of the T.S no 104/90 for preferring second appeal in honble court. Return the copies to the appellant's lawyer on proper receipt thereof.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	1	1
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave		
4	Request by defendant	1	1
5	Request by plaintiff	4	4
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-

9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	1	1
11	Adjourned for passing judgement		

Case No. 15

Sl. No.		
1.	Nature or type of suit	T.S 136/96 Class 1
2.	Filed on	27.9.1996
3.	Filed in which court	District court Alipore
4.	When it was initiated	11.12.1996
5.	When was the act of judgement	28.9.07
6.	How much time	11
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff: Abdul Kasim Ansari Defendant: Mr. A. Sattar

27.9.96

The plaint is filed today Registration of the plaintiff is done and summons issued upon the defendant both by court and by registered post with A/D fixing 11.12.96 for appearance and contesting purpose. Postal receipt to be filed by the date fixed. Also petition for interim injunction is filed. The plaintiff are tenants who file petition for declaration , recovery of money and permanent injunction valued at 1,83,100 while the defendant while the defendants file for dismissing the same .

11.12.96

Perused the petition for ad interim injunction. The affidavit is supported by documents and notice is issued upon the defendants to show cause within 7 days from the date of service giving reasons for plaintiff's prayer for temporary injunction shall not be granted against them.

Considering the facts and circumstances of the case , the plaintiff has got strong prima facie.

11.12.96

The petitioner files hazira and the regd post has been received. The defendants appear.The defendants have applied for Time is given for W.S and written objection. It is allowed to 5.2.97.

5.2.97

The plaintiff filed hazira . Summon received back after due service. Defendants were informed for appearance and to file w/s and written objection if any . Suit copies of the w/s + objection could not be served upon the plaintiff as the learned adv for the plaintiff was not available. To fix 25.3.97 for hearing of injunction matter.

25.3.97

Parties have filed hazira. To fix 21.5..97 for hearing case.

21.5.97

Parties file hazira. Not legible. To date 3.7.97 for steps.

20.8.97

The record is put up today . The plaintiff file an application u/o 11 r 12 of cpc code , directing the defendant to discover an authorised c opy not served to deft. Let copy be serviced to defendant and to fix 29.8.97 for hearing of the petition in presence of the lawyer.

29.8.97

Both the parties file hazira. The record has been put up and defendants have been called for.

The defendants are to provide for the authorized copy by 5.11.97

5.11.97

The defendants file hazira . The defendants pray for time. Prayer is considered and till 5.1.98 for discovery by the defendants as prayed for.

5.1.98

The defendants file affidavit with documents . To fix 9.4.98 for serving copy of the affidavit.

19.3.98

Parties file hazira. To fix 21.5.98 for serving affidavit

24.7.98

Parties file hazira. To fix 13.11.98 for serving affidavit in high court.

13.11.98

Not legible

12.2.99

Plaintiff files hazira. Defendant takes no steps on reported calls. Hence to fix 7.6.99 for ex parte hearing of the suit.

7.6.99

Defendants file written objection. Plaintiff file for a copy of written objection at a cost of 50.

26.8.99

Plaintiff files hazira . Defendants prays for adj on the ground stated therein. Prayer is allowed as last chance. To file 6.1.2000 for petition hearing of the suit.

6.1.2000

Parties file hazira. The P.O is on leave . Adj dated to 21.3.2000 for petition hearing.

21.3.2000

The defendants pray for adjournment. To fix 9.6.2000 for petition hearing.

9.6.2000

The plaintiff files for adjournment . To fix 9.8.2000 for petition hearing.

9.8.2000

Not legible. To fix 23.12.2000 for petition hearing.

23.11.2000

Not legible. To fix 8.2.2000 for steps by the defendants.

22.2.2001

Inview of the learned court's order no . 110 G dated 9.11. 2000 , the c/r is transferred to the learned senior court , sealed for disposal.

2.4.01

Received the record on transfer from the 2nd assistant district judge. To fix 6.6.01 for hearing of the petition.

6.6.01

Plaintiff file hazira. Defendant takes no step . None turns up on behalf of the defendant on repeated calls. Subsequently defendant files a petition for praying for time. Prayer for time is done. To fix 19.7.01 for hearing suit.

19.7.01

No step is taken by either of the parties . In the mean time deft files late hazira. Plaintiff is present personally . It is reported that the lawyer of the plaintiff has not arrived . It appears that stay petition dated 23.11.2000 is still pending and w/o is that.

The deft prays for time for hearing of the stay petition . Considered . The prayer is allowed.

To fix 23.8.01 for hearing of the stay petition in presence of both sides.

23.8.01

Both parties file haziras through respective lawyer . Heard both sides at length . To 28.8.01 for issuing necessary order.

10.9.01

Both parties file hazira . the p.o is on leave. To fix 20.9.01 for further order.

20.9.01

The record was not put up on 20.9.01 . It was misplaced somehow. To fix 8.10.01 for order.

8.10.01

Both parties file hazira. Today is fixed for passing order in connection with application DATED 23.11.2000 , wherein the deft has prayed for stay of the preceeding of the present suit. In connection with the application the plaintiff filed written objection on 8.2.01 and hearing in connection with the application and the written objection was taken up on 23.8.01 in presence of both parties.

The stay order doesn't seem to be verified by the defendents themselves. In such a view of the fact and circumstance , thus the stay of the preceeding of the suit as made by the defendant is rejected on contest.

Let the suit be fixed for evidence on 10.1.2002.

10.1.2002

Both sides take no steps . To fix 5.3.02 for filing cost.

5.3.02

Plaintiff files hazira. Defendant files an application praying for time on the ground that a revision application is filed against the order no 31 dated 8.10.01 before the honble court and an advocates letter in this regard is also filed. Heard both sides . Considered . In view of the above position the suit is adjourned . To fix 3.5.02 for bring stay order if any for evidence.

3.5.02

Plaintiff files hazira. Deft files a petition praying for time. On the ground. Hd considered. The prayer for time is allowed for justice. To fix 25.06.02 for hearing of the suit.

25.06.02

Both parties file haziras through lawyer . PW1 is examined in part. The suit is adj. To fix 21.8.02 for further evidence.

21.8.02

Both parties file hazira . As per resolution of the bar the case is adjourned today.

27.11.02

Both sides take no steps . The P.O is on transfer . To fix 16.1.03 for further evidence.

16.1.03

Both sides file hazira. The P.O is on transfer. To fix 13.3.03 for further evidence.

13.3.03

Both sides file hazira . Heard learned adv for the appellant in full. To fix 13.5.03 for futher hearing of appeal.

13.5.03

Both parties file haziras . PW1 IS EXAMINED IN part. At this stage the plaintiff files a petition praying for time on the ground stated therein.

Fix 4.7.2003 for further hearing of the petition.

4.7.03

Plaintuiff files hazira. There is cease work in the local car association . Thus next date for hearing is 23.7.03

23.7.03

Plaintiff files hazira. Defendant files hazira. The suit is taken up for hearing. PW-1 IS FURTHER EXAMINED AND CROSS EXAMINED IN part . At this stage Deft files a petition praying for time on the ground stated therein . Considered. To fix 27.8.03 for further hearing of suit.

27.8.03

Defendant files hazira with a petition for time and grounds of compromise are considered. The prayer is allowed. To fix 21.11.03 for filing compromise petition for further hearing of suit.

22.1.04

Both parties files hazira. P.O is transferred . P.O is engaged . 10.3.04 for filing compromise petition for further hearing of suit.

10.2.04

Both the parties files hazairas . P.O is transferred to the lower court. To fix 23.4.04 for hearing of the suit.

23.04 .04

Both parties file hazira. P.O is transferred. Thus the next date fixed on 10.6.04 for healing of the suit.

10.6.04

Both parties files haziras . P.O is transferred. To fix 27.7.04 for hearing of the suit.

27.7.04

Both the parties file hazira through their advocate. Learned P.O has been transferred. To fix 2.9.04 for hearing of the pwtition.

2.9.04

Both parties files hazira. P.O is transferred . To fix 6.10.04 for hearing of the suit.

6.10.04

Both parties file haziras . P.O is transferred. To fix 8.12.04 for hearing of suit.

8.12.04

Both parties file hazira. P.O is transferred . The next date for hearing be 20.1.05

20.1.05

Plaintiff files no hazira. Defendant files hazira. P.O is transferred The next date for hearing be 22.2.05

22.02.05

Both parties file hazira. P.O IS TRANFERRED. The next date fixed for hearing be 28.3.05.

28.03.05

Both parties file for hazira. P.O is transferred. The next date for hearing be 4.5.05

21.5.05

Both parties file hazira . P.O is transferred. To fix 4.7.05 for hearing of the suit.

4.7.05

Both parties file hazira. P.O is transferred. To fix 5.8.05 for hearing of the suit.

5.8.05

Date is fixed for further cross examination of PW1 . Plaintiff is present with his learned counsel and files hazira. Defendant has filed hazira but none appears on repeated calls. Defendant prays for time at a later time that day. Heard considered . Prayer is allowed. To fix 6.09.0 for further cross examination of PW1 . Both sides to come prepared.

6.9.05

Both parties files haziras, the case is taken up for cross examination of PW1. PW1 is cross examined in part . At this stage defendant again prays for time. On the ground stated therein. Let another date be fixed on 28.9.05 for further cross examination.

25.09.05

Both parties file hazira. The case is taken up for hearing . PW1 is further cross examined in part. Defendant files a petition praying for time. To fix 7.11.05 for further examination of PW1.

7.11.05

Parties file hazira. The case is taken up for hearing . PW1 is further cross examined in part. Both parties have filed documents marked as xhibits. Defendants puts petition asking for time. Time is allowed and the next date is 8.11.05.

8.11.05

Both the parties file hazira. Today is fixed for further evidence. P.O is on leave. To fix 13.12.05 for further evidence.

13.12.05

Both parties file hazira. The P.O is on leave . Let another date be fixed on 2.1.06 for further evidence.

2.1.06

Both parties files hazira . Today is fixed for further cross examination of PW1 AND HE IS CROSS EXAMINED IN FULL. Plaintiff files for petition praying for adjournment. On the ground stated therein. Let the date be fixed as 13.1.06

13.1.06

Both parties file for hazira. Plaintiff files for recalling PW1. The petition is taken up for hearing and when taken up for hearing it was justified for him . Thus the petition is allowed and the next date for hearing is 31.1.06 .

31.1.06

both parties file hazira. plaintiff files affidavit or pw2 and pw3 . pw2 is further examined in full . pw3 is also examined in part. Documents filed by plaintiff are marked exhibit. At this stage plaintiff files a petition for time on the ground stated therein. Prayer is allowed and the date fixed for further cross examination of PW3 is 7.2.06

7.2.06

Date is fixed for cross examination of PW3 . No steps taken by plaintiff . None appears on repeated calls . Defendant is present by filing haziras. It appears that the plaintiff is not willing to proceed with the case. Plaintiff to show cause as to why the suit shall not be dismissed due to non prosecution. To fix 15.02.06 for show cause.

15.2.06

Both parties files hazira. Plaintiff doesn't file petition for show cause. Today there is holiday in local bar association . Court is adj. And the next date fixed for hearing the show cause by plaintiff is 21.2.06

21.2.06

Date is fixed for showcause by plaintiff and for further hearing of suit. Plaintiff files show cause , copy served and the show cause is accepted. PW3 is further cross examined in full and discharged. Plaintiff evidence is declared closed and defendant's evidence is fixed for 1.3.06

1.3.06

Today is fixed for evidence on behalf of defendant. Plaintiff files a hazira and defendant files a petition praying time on the ground that the lawyer could not file affidavit due to electrical fault in chamber. Defendant's petition filed for time is allowed. To fix 2.3.06 for evidence on the part of defendant.

2.3.06

Date is fixed for hearing of suit. Both sides are ready and present. Defendant 1 files an affidavit as DW1 . Copy served. DW 1 is cross examined in part after filing affidavit . Learned counsel for plaintiff seeks adjournment. To fix 4.3.06 for further hearing of suit.

4.3.2006

Date is fixed for further hearing of suit. DW 1 IS CROSS EXAMINED AND HEARD IN FULL. To fix 8.3.006 for hearing of argument.

8.3.06

Both parties file hazira. Today is fixed for hearing of argument. Issues are framed and kept with record. The case is taken up for hearing. Heard learned adv for defendant in full. Plaintiff files petition for time which is allowed. To fix 10.3.06 for hearing the argument on behalf of the plaintiff

10.3.06

Both parties file for hazira. Today is fixed for hearing of plaintiff. The suit is taken up for hearing of argument. Plaintiff files a petition for time which is allowed. To fix 13.3.06 for further hearing of argument on behalf of plaintiff.

13.3.06

Both parties file hazira. Today is fixed for further hearing of argument. The case is taken up for hearing. Plaintiff files a petition for time. The petition is allowed. To fix 16.3.06 for further hearing of argument.

16.3.06

Both parties file hazira. Today is fixed for further hearing of argument. The case is taken up for hearing . Heard argument on behalf of defendant in full. Plaintiff prays for time which is allowed. To fix 17.3.06 for reply

17.3.06

Both parties file hazira. Today is fixed for hearing of reply. Heard reply of the plaintiff. To fix 24.3.06 for delivery of judgement.

24.3.06

Today is fixed for delivery of judgement . Defendant files for hazira. The suit is dismissed on contest with cost.

19.4.06

Decree of the suit is drawn up , signed and sealed in date.

6.9.07

Plaintiff files a verified petition praying for taking back the verified exhibits in the form of documents submitted before the court. The prayer is allowed.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	2	5
2	Presiding officer busy		
3	Presiding officer on transfer order	11	16
3	Presiding officer on leave	3	4
4	Request by defendant	13	22
5	Request by plaintiff	1	2
6	Both parties absent		
7	Defendant absent		

8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement		

Case No. 16

Sl. No.		
1.	Nature or type of suit	T.A 136/96 , Class 1
2.	Filed on	9.3.99
3.	Filed in which court	District court Alipore
4.	When it was initiated	5.4.99
5.	When was the act of judgement	8.6.06
6.	How much time	7
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff: Badal Chandra samanta Defendant: laksmi rani samanta

9.3.99

This memo and appeal has been filed against the judgement delivered and passed in T.S. 45/89 by 6th court alipore . Court fees for rs. 16 is correct . The appeal is with requisite filed. To date 5.4.99 for

5.4.99

Appellant verified files requisites and steps not taken to that effect. Hence he is to file showcause . Peition by 17.4.99 as to why the memo or appeal shall not be rejected.

17.4.99

Verified showcause petition is filed cause shown is sufficient to be satisfactory . Let the S/C be accepted . Requisites filed . Issue of registered posts sent with A/D . to fix 18.6.99 for release summon receipt and acknowledgement.

18.6.99

Hazira filed for the appellant . Notice issued through regd posts but is returned after service. Let it be accepted. To fix 19.8.99 for return and notice in respect to rest of the respondents.

19.8.99

Hazira filed by the appellant . There is no return in respect to respondents. To fix 21.9.99 for s/r order.

21.9.99 Hazira filed for the appellant . There isa the return as to the notice. To fix 6.12.99 for s/r today.

6.12.99

Hazira filed for the appellant . There is no return as to the notice . To fix 14.2.2000 for s/r today.

14.2.2k

Hazira filed for the appellant . There is no return as to the notice ack. To fix 18.3.2k for filing the postal receipts today also for s/r + ack.

18.3.2k

Hazira filed for the appellant . Postal receipts not filed. To fix 5.4.2000 for filing the same as last chance.

5.4.2k Postal receipts not filed. However Id. Advocates donot participate in the court's proceedings through resolution. To fix 5.5.2k for filing the same.

5.5.2k

Hazira filed for the appellant. Today is fixed for filing postal receipt. Neither files postal receipt not takes any steps. Appellant to file show cause by 8.6.2000 , why the appeal shall not dismissed for non compliance o the court's order.

8.6.2k

Verified show cause petition is filed. Cause shown is sufficient and allowed. To fix 3.7.2k for taking steps.

3.7.2k

On the prayer of the appellant time is allowed for taking steps . To fix 28.7.2k for taking steps.

28.7.2k

On the prayer of the appellant , time is allowed for taking steps. To fix 6.9.2k for taking steps.

6.9.2k

On the prayer of the appellant time is allowed for taking steps. To fix 3.11.2k for taking steps.

3.11.2k

On the prayer of the appellant , time is allowed for taking steps. To fix 2.11.2k for taking steps.

21.11.2k

Appellant takes steps for service of twice upon the respondents. Issue notice upon the respts. Through court as well as by respondents with A/D . To fix 3.1.01 or S/R +ack

3.1.2001

Hazira filed for the appellant . There is no return as to the notice and ack. To fix 5.3.01 for S/R + Ack

5.3.01

Appellant takes no steps . There is no return as to the notice and ack. To 3.4.01 for S/R . To date for filing postal receipts.

3.4.01

Today is fixed for filing postal receipts. Appellant neither files . Postal receipts nor takes any steps.To showcause by 2.5.01

2.5.01

Appellant has filed verified showcause. Petition with requisites. Let the s/c be accepted. Issue of notice and to fix 25.06.01 or return of ack.

25.6.01

Hazira filed for the appellant with postal receipts. There is no return as to the acks in respect to respondents. To fix 20.8.2001 for return and acknowledgements.

20.8.01

Appellant takes no steps . Acknowledgement return after dev service of notice upon the respondents. Appellant is directed to take steps for respondent. To 7.9.01 for taking steps.

7.9.01

Appellant takes no steps. Perused the order 20.8..01 . Appellant is directed to file showcause petition by 1.10.01 as to why the name of resp. Shall not be expected for return.

1.10.01

Verified show cause petition not filed. Cause shown is sufficient . Let the S/C be accepted. It is also reported that sole appellant Badal Chandra samanta died on 5.8.01 . Appellant to take steps by 15.12.01

15.12.01 Hazira filed for the appellant . Petition is filed supported by affidavit for substitution for deceased Badal Chandra samanta the sole appellant on thuis appeal. To fix 16.12.02

16.2.2002

Appellant files hazira. The case is adj. To 26.3.2002 for hearing substitution petition.

26.3.02

Present Sri P.N Sinha

Appellant files hazira . Petition dated 1.10. 2001 filed by appellant praying for substitution of heirs os the earlier appellant as he is no more , is up. Prayer for substitution is allowed . To fix 14.6.2002 for taking steps if any.

14.6.02

Hazira filed for the appellant . No steps are taken by the appellant . Appellant is to take step by the appellant. To 3.7.02 taking steps.

3.07 .02

On the prayer of the appellant time is allowed for taking steps. To fix 19.7.2002 for taking steps.

19.07.02

On the prayer of appellant time is allowed for taking steps. To 14.8.02 for taking steps.

14.8.02

On the prayer of appellant time is allowed for taking steps. To 14.8.02 for taking steps.

29.8.02

Ld. Advocate have ceased their work through resolution . To 16.9.02 for taking steps

16.9.02

Appellant neither take steps nor files praying time. Hence appellant is to show cause by 1.10.02 as to why the appeal shall not dismissed for defunct.

1.10.02

Verified show cause petition filed. Cause shown is sufficient. To fix 21.11.02 for taking steps

21.11.02

Ld. Advocates donot participate in the court's proceedings thorough resolution . To fix 8.1.03 for taking Steps.

8.1.03

Learned advocates donot participate in the court's proceedings through resolution . To fix 13.2.03 for taking steps.

13.02.03

One petition is filed on behalf of the appellant stating that in view of the order dated 26.3.02 it appears that 5 legal heirs of the deceased appellant were filed on that date. Call for LCR 17.3.03 FOR further execution of case.

17.3.03

Hazira filed for the appellant LCR IS NOT RECIEVED . Issue reminder . To fix 20.5.03 for order awaiting LCR

20.5.03

Learned adv donot participate in the proceeding through resolution LCXR has not yet been received . To fix 7.7.03 for order awaiting LCR

7.7.03

None takes any steps. LCR is rreceived . Let the appeal be transferred to 2nd court of LD. Additional Dist Judge for disposal.

Present Amitabha Das

23.7.03

Received the record by transfer. Fix 12.8.03 for hearing appeal

12.8.03

Seen the petition for adjournemtn filed on behalf of the appellant Respondent takes no steps. To fix 28.11.03 for hearing appeal

28.11.03

A petition on behalf of the appellnt praying for adj. Is filed . Respondent takes no steps. Adj. To fix 27.1.04 for hearing appeal.

4,2,04

It being holiday on 27.1.04 record is put up today . To fix 22.3.04 for hearing appeal.

22.3.04

Appellant files a pwtition praying for taking off the appeal from the panel board for taking steps in repeat of the substitution of resp. No 1 . Prayer is allowed Appeal be taken off from Panel board . To fix 14.5.04 for taking steps.

14.5.04

Appellant takes no steps regarding substitution . To fix 2.7.04 for taking steps as last chance

2.7.04

The substituted appellants files an applicatrion u/o 22 R2 interalia that the respondent no 1 lakshmi rani samanta has died leaving behind the respondent no 2 and 3 as her only legal heir . The substituted appeallants have therefore prayed for removing the name of respondent no 1 , since deceased from cause title of the memo of the appeal. The prayer is considered and allowed. To fix 26.8.04 for hearing of the appeal

26.8.04

Appellant files hazira . Respondent takes no steps . To 25.11.04 for hearing appeal

25.11.04

Appellant prays for adjournment by filing a petition . Seen . Adjourned . To fix 13.1.05 for hearing appeal

13.1.05

Seen the petition of the appellant praying for adj . Considered . Adj. To fix 22.2.05 for hearing appeal

22.2.05

Appellant's hazira is filed but judge is on order of transfer . To fix 28.4.05 for leaving appeal

28.4.05

Appellant files hazira . Court is vacant . Hence to fix 21.7.05 for hearing appeal

30.6.05

In view of order no 1030 G dated 24.6.05 of the learned D.J Alipore . Send this appeal to the 15th ADJ alipore for disposal.

5.7.05

Record is received by transfer for disposal by court. To fix 21.7.05 for appeal.

21.7.05

No steps filed by respondents. Appellant files a petition for record from the trial court of the appeal. Appellant files petition praying for time to file for steps. Heard learned lawyer for appellant praying for time . The appellant is directed to take steps by 10.8.05

10.8.05

A petition is filed by the appellant under section 1b to 1 e supported by affidavit praying for substitution as heirs of appellant no 1a since deceased. To fix 12.9.05 for hearing of petition , objection if any to be filed also.

12.09.05

None appears today. It is now 12pm . P.O has been transferred , thus court is adjourned. To fix 6.12.05 for hearing of petition.

Present Sri B. Mondal

6.12.05

Appellant files hazira . But court is lying vacant since P.O has been transferred . Case is adjourned today. To fix 2.2.06 for hearing of petition objection if any.

2.02.06

Appellant files hazira . But court is lying vacant since P.O has been transferred. Court is adj. Today 28.03.06 for hearing petition.

Present Anindita Roy Saraswati

8.03.06

Hazira filed on behalf of appellant . The petition dated 10.8.05 is taken up for hearing . Heard prayer is considered and allowed. Substitution petition has been accepted and names changed therein. To fix 25.04.06 for hearing of the appeal. Amend the memo of appeal carefully

25.01.06

Appellant files a petition praying for adj on the grounds stated therein None appears on behalf of the respondents to oppose the petition. This case is very old and needs to be disposed early. No further time will be allowed to either of the parties in the next date . Case is adj. Till 03.05.06 . To date for hearing of appeal as last chance.

03.05.06

Appellant files hazira through advocate . None appears for the respondent. Heard arguments by learned lawyer for the appellant . Judgement to be delivered on 16.05.06

16.05.06

Judgement delivered in the open court . The appeal is allowed on contest within cost . The judgement passed in lower court on 18.12.98 is set aside. Judgement is kept in separate sheets.

8.06.06

Decree sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	2	5
2	Presiding officer busy	3	
3	Presiding officer on transfer order		7
3	Presiding officer on leave		
4	Request by defendant		
5	Request by plaintiff	10	18
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	3	5
11	Adjourned for passing judgement	1	7

Case No. 17

Sl. No.		
1.	Nature or type of suit	T.S 63/2006 , Class III
2.	Filed on	12.6.06
3.	Filed in which court	District court Alipore
4.	When it was initiated	3.8.06
5.	When was the act of judgement	20.3.09
6.	How much time	3
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff : Ramesh Chowdhury Defendent: Ram Ngina Chowdhury

12.6.06

The appellant files memo of appeal alongwith a vakalatnama against the judgement and decree department 20.3.06 passed in T.S number 164/2001 by the judge . The memo of appeal is presented witha a limitation. Court fees are paid as the mome appeal is aufficient Register the said memo of appeal on the title appeal and admit the same. Issue the notice upon the respondents through court

as well as registered post. To fix 3.8.06 for awaiting S/R of respondents. Appellant is directed to file S/R between the date fixed.

This case is about the appellant party who bought a shop and ran it successfully for sometime until he got a job and gave it to the respondent 1 to run it on his behalf. The respondents started earning the profit and not sharing it with the appellants. The respondent 1 used to misbehave with the appellant and finally forced the appellant to sell the property to the respondent or else he would sell it to a third party. The suit was dismissed and was again filed , the initial suit being 164/2001.

3.8.06

Appellant files hazira along with postal dept Vakalatnama has been filed on behalf of the respondents no 1 and 2 . Call for LCR . To fix 12.9.06 for order awaiting LCR.

12.9.06

Call for lcr To fix 13.11.06 for order awaiting respondent for LCR

13.11.06

Both parties file hazira. Call for lcr . To fix 15.12.06 fo order awaiting respondents of the LCR.

15.12.06

Both parties file hazira LCR is not received. To fix 14.2.07 for order awaiting LCR

14.2.07

LCR is not received . To fix 10.4.07 for order awaiting request of LCR.

10.4.07

lcr is not received yet . To fix 25.5.07 for LCR.

25.5.07

Both parties files no hazira. LCR is not received as yet. To fix 10.7.07 for LCR.

Present Sri B.D. NANDE , Additional Judge.

10.7.07

Both parties file hazira . lcr is not recieved yet . To fix 7.9.07 for LCR

7.9.07

Both parties file hazira . LCR is not received as yet. To FIX 6.12.07 FOR LCR.

6.12.07

Both parties file hazira. Sent to the court of Sealdah. To fix 18.12.07 for appearance before the transference court.

17.12.07

Received the record being no.TA 63/06 along with LCR , T.S 154/01 ALONG WITH EXHIBITS IS SENT TO Sealdah Judge court for disposal.

To fix 18.12.07 for next date.

18.12.07

Both sides file hazira . lcr containing exhibits is recieved. P.O is on leave. Court is adj till 17.1.08 for hearing of the appeal

17.1.08

Both sides file hazira , no time today . Adj . To fix 14.2.08 for hearing of the appeal

14.2.08

Both sides file hazira . Ld Advocates are not participating due to demise of member of the Bar council. To fix 6.3.08 for hearing of the appeal

6.03.08

The record is put up today. 9.3.08 is a holiday . To fix 31.3.08 for hearing of the appeal

31.03.08

Both sides file hazira . Today is fixed for heaing of the appeal. Case is adjourned due to cease work by the advocates bar association. To fix 5.5.08 for hearing of the appeal

5.5.08

Both sides file hazira . Today is fixed for hearing of the appeal .As such the case is taken up for hearing . Heard in part. To fix 26.05.08 for further hearing of the appeal

26.5.08

Both sides file hazira. Today is fixed for further hearing of the appeal. The court is adj. To fix 18.6.08 for further rhearing of the appeal.

18.6.08

Both sides file hazira. Thereafter appellant files a petition for adj. Of hearing on the grounds stated therein . Copy not served . Heard both sides and the prayer is allowed.

To fix 11.7.08 for further hearing of the appeal.

11.7.08

Both parties file their respective hazira. P.O is on leave . P.O is busy. To fix 28.7.08 for further appeal.

28.7.08

Both parties file their respective hazira. P.O is busy otherwise. To fix 8.8.08 FOR FURTHER HEARING OF THE APPEAL.

8.8.8

Due to cease work of the local bar the lawyers are stay away from the court . The case is adj.

To fix 25.8.8 for further hearing of the appeal

25.8.08

Respondent files hazira P.O is busy. to fix 9.9.08 by furthe rhearing of the appeal

9.9.08

Both parties file their respective hazira. P.O is busy otherwise . To fix 10.11.08 for further hearing of the appeal.

10.11.08

Respondent files hazira. Appellant takes no steps and found absent on repeated calls. Appellant to show cause by 24.1..08 as to why the appeal shall not be disposed off.

24.11.08

Both parties file their respective hazira. Appellant files a verified show cause petition praying for condoning the delay . To fix 10.12.08 for heaing of showcause petition dated 24.11.08

10.12.08

Both parties file their respective hazira. Today is fixed for hearing of the showcause petition dated 24.11.08. The instant petition is taken up for haring . Heard ld advocate for both sides. By filing the petition , appellant has prayed to accept the show cause petition after condoning the delay. The show cause petition is perused and accepted at a cost of Rs. 200. To fix 2.1.09 for further hearing of the appeal.

2.1.09

Both parties file their respective haziras. A firisthi is filed by the appellant showing the cost to be Rs. 200. P.O is on leave. To fix 16.1.09 for further hearing of the case.

16.1.09

Respondent files hazira. No steps have been taken by the appellant . Due to repeated calls the appellant doesn't appear. Thus the appeallant needs to file show cause as to why the instant appeal shall not be dismissed for default. To ix 28.1.09 for filing show cause.

28.1.09

Respondent files hazira. Appellant files a verified showcause petition as the ground stated in the petition . Copy served . To fix 10.2.09 for filing of the show cause petition dated 28.1.09

10.2.09

Both parties file their respective haziras. Today is fixed for filing of the show cause petition dated 28.1.09 fixed by the appellant . The instant petition is taken up for hearing . The petition and case

record is perused . Cause shown in the petition is sufficient and accepted . To fix 24.2.09 for further hearing of the appeal from the side of the appellant and respondent.

24.2.09

Both parties file their respective haziras. Afirithi is filed by the appellant at a cost of Rs. 100. Heard appeal in part on behalf of the appellant . To fix 5.3.09 or further heaing of the appeal on the side of the appellant.

5.3.09

Both parties file their respective haziras. Subsequently appellant files a petition praying for adj. On the grounds stated therein. Prayer is adj and allowed. To fix 16.3.09 for further hearing of the appeal on behalf of the appellant.

16.3.09

Both parties file their respective haziras . Today is fixed for further hearing of the appeal from the side of the appellant . Heard appeal in full. To fix 20.3.09 for passing judgement.

20.3.09

Judgement delivered today in open court , that the instant appeal is allowed on contest. The judgement and decree dated 10.3.06 passed by civil judge is set aside.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	17	20
2	Presiding officer busy	2	15+14 days
3	Presiding officer on transfer order	1	1
3	Presiding officer on leave		
4	Request by defendant		
5	Request by plaintiff	2	2
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent	2	2
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	4	5
11	Adjourned for passing judgement		

Case No.18

Sl. No.		
1.	Nature or type of suit	O.S: 2 of 97 (Started with 57/96 , then the room was changed and it became 2/97), class 2
2.	Filed on	27.5.96
3.	Filed in which court	District court Alipore
4.	When it was initiated	18.6.96
5.	When was the act of judgement	22.6.2000
6	How much time	4
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff: Biswajit Lahiri Defendant: Sakti Prasanna Lahiri

27.5.96

This is an application of the estate of will who died on 4.11.95 filed before the court . Register this application as an original suit . To file 1.7.96 for filing court fee.

18.6.96

On the prayer of the plaintiff , the record is put up .Plaintiff has filed a petition a praying for hbeing exempted from filing advalorem court fee as required under pfovis (II) to art 1 (g) of sch ii of the cpurt fee act. It is asserted by the affidavit that there was no caveat entered in respect of the estate left by the testator and objection filed after citation whereby the case became contentious . Hear and considered. Issue of summons upon the defendants fixed for 26.8.96 for return and appearance. Requisites within 3 days.

Later

Plaintiff files a petition u/o 39 rr1 and 2 of the cpc code supported by affidavit praying for an order of temporary injunction restraining the defendant from transferring any part of the property involved in this property till disposal. The defendant to show cause within 7 days of service thereof to why he say not be restrained as prayed for. Prayer for interim injunction is refused at this stage.

20.6.96

Requisiites filed. The defendants are called up according to the order dated 18.6.96

10.7.96

The defendant appear by a petition and is given time to file for written objection. The next date fixed is 26.8.96

26.8.96

Plaintiff files hazira and postal receipt . Defendant has already entered appearance and on his prayer time is allowed till 15.1.97 for filing W.S

15.1.97

Plaintiff files hazira . Defendant does not file W.S. nor is any step taken therefore. The suit is transferred to the 11 th court of additional district judge for exparte disposal.

22.1.97

Present Sri P.K Deb

O.S. 2/97 : 11TH adj

Record received by District Judge for disposal. To fix 26.2.97 for ex parte hearing.

26.2.97

Plaintiff files hazira. Defendant files verified petition praying for vacating the order of exparte . Defendant files another petition for time to file W.S. Copy served. To fix 27.3.97 for order in presence of lawyers.

27.3.97

Parties are present . Defendant files W.S. , copy not served. Petition dated 26.2.97 filed by defendant for vacating the order of exparte. Hearing is taken up by both sides. Lawyer is considered and allowed subscription to payment at the cost of RS. 50. Let the order of exparte hearing is truly vacated. To fix 6.5.97 for payment of cost and framing of issue.

6.5.97

Heard . Issues are framed . To fix 11.6.97 for taking steps for discovery.

11.6.97

Plaintiff files hazira. Defendant files a petition for time to take steps for discovery . Heard Id lawyer for plaintiff . Fix 28.7.97 for petition hearing . Discovery if any in the meantime.

28.7.97

Plaintiff files hazira along with power. Defendant files hazira. Pettion hearing is taken up for hearing. P.W 1 is examined and cross examined in part. Documents marked exhibit. To fix 21.8.97 for futher hearing.

21.8.97

Parties are present. P. W NO.1 IS FURTHER CROSS EXAMINED IN PART. To fix 11.9.97 for further cross examination .

4.9.97

Parties are present . further hearing is resumed . P.W no 1 is further cross examined . Plaintiff files document with report . Parties file petitions for an adj. Of hearing . Heard . Prayer is considered.

To fix 18.9.97 for further hearing. Heard in part . To fix 18.9.97 for further injunction hearing also.

10.9.97

On petitioner's prayer , issue summon upon the parties.

18.9.97

Defendant files hazira. Plaintiff files a petition or an adj of hearing copy served. Heard prayer and considered and allowed. To fix 19.11.97 for further hearing.

19.11.97

Parties are present. Case is taken up for hearing . P.W -2 IS EXAMINED IN PART . At this stage plaintiff files a petition for an adj. Of hearing . Heard prayer. To fix 29.11.97 for further examination.

29.11.97

Defendant files hazira. Plaintiff files a petition for an adj of hearing . Copy served . Heard prayer is considered and allowed. To fix 15.12.97 or further examination.

15.12.97

Both parties file hazira. Further hearing is resumed . P.W no.2 futher examined and cross examined . Documents marked exhibit 1/H . At this stage defendant files petition or adj. Of heaing. Heard prayer and considered.. To fix 5.1.98 for petition hearing.

5.1.98

Parties are present. Further hearing is resumed. P.W NO.2 is examined and cross examined in part. Document marked exhibit. To fix 6.1.98 for further evidence.

6.1.98

Parties are present. Further evidence is resumed. P.W NO. 2 is further cross examined. Document marked exhibit. At this stage plaintiff files petition for adj of hearing . Heard prayer and is considered.and allowed. To fix 28.1.98 for further hearing.

28.1.97

Defendant files hazira. Plaintiff files a petition for adj of hearing . Copy is served and objected to. Heard prayer and considered. To fix 19.2.98 for petition hearing.

9.2.98

Plaintiff files a petition for issuing summons upon the parties. But T.A not paid . Summons to witness will be issued on defendants.

11.2.98

Plaintiff files a T.A slip . Let it be kept with the record.

19.2.98

Parties are present . To fix 11.3.98 or further hearing as a part chance. Plaintiff to file cost of witnesses.

11.3.98

Parties are present. Perceived a report letter from add dist. To file documents. To fix 23.3.98 for further hearing.

23.3.98

Parties are present . Case is taken up for further hearing . P.W no 3 examined and cross examined. P.W no 4 is examined and cross examined in part. Document marked exhibits. At this stage defendant files petition for adj of cross examination . Heard prayer is considered and allowed. To fix 18.4.98 for further hearing.

Petitioner file cost of witnesses , copy served. Let it be kept with the record.

7.4.98

Parties are present . P.O is on leave . To fix 11.5.98

11.5.98

Parties are present . P.O is under order of transfer. To fix 30.5.98 for petition hearing

30.5.98

Parties are present . P.O is under order of transfer. To fix 2.7.98 for petition hearing.

2.7.98

Parties are present . P.O is on leave . To fix 26.8.98 for petition hearing.

26.8.98

Defendant files hazira. Plaintiff files a petition for an adj of petition hearing . Prayer is considred and allowed. To fix 2.12.98 for petition hearing.

2.12.98

Defendant files hazira. Plaintiff files a petition for an ajd of hearing on the ground stated . Talk of compromise and allowed. To fix 21.1.99 or compromise the suit for further heaing.

21.1.99

Both parties file hazira. P.O is engagaed. To fix 5,3,99 for further hearing.

5.3.99

Parties file hazira. P.O is engaged. To fix 3.5.99 for further hearing.

3.5.99

Both parties file hazira. P.O is enaged . To fix 5.6.99 for futher hearing.

5.6.99

Parties file hazira. P.O engaged . To fix 7.8.99 o further hearing.

7.8.99

Parties file hazira. To fix 4.10.99 for petition hearing.

11.10.99

Plaintiff files a petition for an adj. Of further hearing. Copy served. Heard prayer. To fix 16.12.99 for further hearing.

16.12.99

Parties file hazira. Lawyers are not available. To fix 2.2.2000 for petition hearing.

2.2.2000

Parties file haziras. To fix 31.3.2000 for further rhearing.

31.3.2000

Lawyers are not participating in court due to cease work. To fix 2.6.2000 for petition hearing.

10.5.2000

Defendant files a verified a petition for grant of probate of the court rule. Copy served and no objection . Let it be kept with the record. To date for order.

2.6.2000

Plaintiff files hazira. Petition dated 10.5.2000 files by defendant . Praying for granting of prelude of the rent . Petition is taken up heard . Both sides To 14.6.2000 for order .

14.6.2000

Order is not ready . To fix 22.6.2000 for order.

22.6.2000

This is a suit praying for grant of probate of the will of the defendant. That the suit be decreed on consent . The probate of the will , with a copy of the same be given to the plaintiff by this decree .

25.7.2000

Plaintiff files a petition along with a court fees of Rs, 10000 for issuing probate. . Issue of probate accordingly.

4.8.2000

Probate sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	7	11
2	Presiding officer busy	4	6
3	Presiding officer on transfer order	2	2
3	Presiding officer on leave	2	2
4	Request by defendant	4	8
5	Request by plaintiff	7	11
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	3
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement		

Case No. 19

Sl. No.		
1.	Nature or type of suit	T.A 125/94 ,Class 1
2.	Filed on	13.4.94
3.	Filed in which court	District court Alipore
4.	When it was initiated	10.5.94
5.	When was the act of judgement	16.4.98
6	How much time	4
7.	What was the result	Dismissed on contest
8.	Filed by	Plaintiff : Usha Kanta Chattopadhyay Defendent: Sandhya Rani Sardar

13.4.94

Register court fees due Rs. 997. But paid Rs 100 only. Prayer of the appellant , time is allowed till 10.5.94 for filing DCF. This suit is regarding a deed of gift that has been alleged deed of gift vitiated by frauds. The defendants conspired to get the deeds executed and registred.

10.5.94

As per resolution of the Bar , the lawyers will not participate in the court proceedings. The court is adjourned to 8.6.94 appearance of deft and steps.

8.6.94

Court fee is paid of Rs. 200 . On prayer of the appellant , time is allowed till 30.6.94 for filing DCF positively.

30.6.94

DCF of Rs. 200 paid. On prayer of the appellant time is allowed till 27.7.94 for filing proper DCF

27.7.94

DCF (Deposit court fee) paid Rs. 200 only . On further prayer of the appellant time is allowed till 11.8.94 for filing DCF.

11.8.94

DCF is not filed . Appellant is directed to show cause by 30.8.94 as to why the appeal shall not be dismissed.

30.8.94

DCF paid Rs 297.50 in full. Requisites put in. Admit the appeal . Issue the same fixing 17.11.94 for S/R AND a/d . Petition hearing at once.

17.11.94

Notice upon all the respondent not yet released . However respondent no 1 appear by power . To fix 5.1.95 in return of notice of report no 5 to 7.

5.1.95

Respondent no. 5 to 7 appears by power . Respondent no 1 to 4 already appeared . To fix 20.1.95 for s/r.

20.1.95

Lower court not yet issued from the court . To fix 20.1.95 for further order after release of LCR.

24.2.95

LCR already received . Appeal is ready for hearing.

6.3.95

Received record from Id. District judge by transfer for disposal. To fix 15.5.95 for hearing the appeal.

15.5.95

Ld. Advocate of both the parties are present . Respondent no 1 has filed a petition praying for adjournment. On the ground stated therein. Copy served and no objection raised.

The appellant has filed a petition praying for transposition of pro respondents no.s 5 to 8 and has put another petition praying for amendment under order 6 rule 17 of the CPC Code. The respondent no.1 may file objection , if any , against this petition in the meantime . Under the circumstances , the prayer for adjournment as filed by the respondent is allowed. Pending disposal of these two petitions. The name is taken off from the peremptory hearing.

1.7.95

Resp. Appear by power and fills objection against the petition. The application is taken up for hearing.

To fix 31.7.95 as next date for petition hearing.

31.7.95

Order not ready . To fix 21.8.95 as next date for hearing.

21.8.95

The record is taken up for hearing today for passing order regarding the petition filed u/o rule 10(2) cpc filed by the pro respondents praying for transposition . Thus the next date fixed for hearing these petitions is 20.9.95

20.9.95

Both parties files hazira. Appellant files a petition and praying for hearing of the appeal. Prayer is allowed . To fix 24.11.95 for hearing of the appeal.

24.11.95

Respondent has filed hazira. The appellant again has filed a petition praying for time. On the ground of difficulty of the advocate. Copy served and objection raised. . Prayer is allowed . To fix 19.1.96 on hearing of the appeal without trial.

19.1.96

The respondents have filed hazira. The appellant filed a petition under order 41 rule 27 CPC praying for accepting the certified copies of the deed as additional evidence. The appellant has also filed another petition under order 26 rule 9 of the CPC praying for local investigation on the ground stated therein. The appellant has filed another petition under or 6 rule 17 of the cpc code praying for an amendment on the ground stated therein. Copies of all those petitions were served. The appellant has filed another petition praying for deferring the hearing of the appeal till the disposal of those petitions. Heard both sides in the matter. Considered. The learned advocate has serious objection . I have considered the entire matter. It is unfortunate that although the appeal is pending since 1994 still the appellant has preferred to file those three mentioned petitions after a long delay. So unless these petitions are heard , the case cannot be proceeded. The judge also understands that the respondent is harassed , thus a cost of Rs. 100 is paid. The appeal is taken off from peremptory hearing. To fix 25.3.96 for petition hearing.

25.3.96

Both parties file hazira. Appellant also files one receipt showing payment of cost of Rs. 100 by proper firisti. Respondent files petitions of objections against the petitions . Copies to be served. Subsequently appellant's prayer be allowed and adj .

15.5.96

Both the parties file haziras. The judge will be going on leave for today to high court . Next date to fix 3.7.96 for further hearing .

3.7.96

Respondents files hazira. Appellant pays adjournment . This prayer is allowed. This is the last chance. To fix 20.8.96 all the three petitions filed by the appellants with objection.

20.8.96

Appellant files hazira. On the prayer of the resp. Adj is allowed till 21.9.96 .

21.9.96

Both the parties file haziras. Subsequently on the prayer of the appellant , adj is given till 3.12.96 filed by appellant.

3.12.96

Both the parties file haziras. Lawyers donot participate in the court proceedings. The case is adj. To fix 21.1.97 for petition hearing.

21.1.97

Both the parties file haziras. P.O is transferred . Thus adj till 12.3.97 for the three petition hearing.

12.3.97

Both the parties file hazira. The petition filed by the appellants is taken up for hearing alongwith the objections filed herewith. Heard lawyers in full.

Heard the lawyers in full and separately.

The first petition filed by the appellant says that he has prayed to allow him to advance additional evidence.

In the second petition the appellant prayed for amendment of various paragraphs in the palint.

In the third petition the appellant has prayed for appointing a survey commissioner under order 26 rule 9 cpc to investigate and report after comparing in the building plan with the structure on plot no.31 and to opine as wherein the same house was entered according to sanctioned plan.

All the three prayers were rejected after perusal.

30.4.97

Respondent 1 to 4 file hazira. Appellant files a petition for adjournemetn of hearing on the ground as stated therein. Heard and considered . The prayer is allowed. To fix 16.6.97 to hear appeal.

16.6.97

Respondent no 1 to 4 file haziras. Appellant files a petition. Adj is allowed at a cost of Rs. 50. To fix 19.7.97 to be filed for hearing of appeal.

19.7.97

The respondents file hazira. The appellant prays for further time for hearing of appeal on the ground stated therein. The appellant has moved the hindu court for revision of earlier orders. The appellant allowed last chance on 16.6.97 and a cost was awarded against him. However in view of the facts stated above , the hearing is adjourned as special chance. Cost of rs. 100 must be paid to the respondent. To fix 3.9.97

3.9.97

Resp. 1 to 4 file haziras. Appellant files a petition and adj. In the ground stated therein. Copy served and objected to. Both sides considered. The prayer is allowed. To fix 24.11.97 for further hearing. No adj will be given from next time.

24.11.97

Respondent files hazira. Appellant files petition for adj. The prayer is allowed . To fix 8.1.98 for hearing of appeal and rs. 200 to be paid to the respondent.

8.1.98

Respondent no 1 to 4 files hazira through advocate. Appellant files a petition praying for another date for petition hearing of the Title appeal. Prayer is allowed. To fix 13.2.98 for hearing o the appeal.

13.2.98

The appellant again prays for adj. Of the hearing. It is submitted that the revisional application is rejected for hearing and only 15 days and time is allowed. The cost is awarded earlier have been paid according to the Id. Counsel for respondent.

The prayer for adj . is allowed for ends of justice. Cost of Rs. 100 . To fix 7.3.98 for hearing appeal.

7.3.98

Both the parties file hazira. The appellant files for adj. The prayer is considered . To fix 20.3.98 is allowed and no further adj will be done.

Both parties files hazira. The appeal is taken up for hearing . Heard lawyer in part. Appellant asked for adj. Till tomorrow.. To fix 21.3.98 for hearing further appeal.

21.3.98

Both the parties file hazira But lawyer donot take part in court's proceedings. Case is adjourned. To fix 4.4.98 for further hearing of appeal.

4.4.98

Both the parties file hazira. The appeal is taken up for further . Heard learned lawyer of both sides in full. To fix 16.4.98 for delivery of judgement.

16.4.98

Judgement passed separate sheets pronounced in open courts with the record. The appeal is dismissed in contest.

23.4.98

Decree sealed and signed this day.

19.5.98

Received copy of order passed in civil order no. 1658/97 dated 27.2.98 . This copy of the order kept in record.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	6	9
2	Presiding officer busy		
3	Presiding officer on transfer order	2	2
3	Presiding officer on leave		
4	Request by defendant	2	3
5	Request by plaintiff	9	15
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike	2	2
11	Adjourned for passing judgement		

Case No.20

Sl. No.		
1.	Nature or type of suit	O.S. 5/90 (First it was 325/88, then the room was changed), Class 2
2.	Filed on	28.4.89
3.	Filed in which court	District court Alipore
4.	When it was initiated	14.1.89
5.	When was the act of judgement	8.2.97
6	How much time	8
7.	What was the result	Petition of compromise heard and disposed off
8.	Filed by	Plaintiff : Sambhu Nath Biswas Defendent: Biswanath Biswas

12.10.88

Present N.C Chakraborty

This is an application for the grant of probate of will executed by Sushil Kumar Biswas who died on 20.11.80 . Register. Let the un –regd will be kept in the safe custody of head clerk . Requisites put in . Issue of special notices fixing 14.1.89 hearing in jurisdiction.

14.1.89

On the prayer of petitioner , to fix 22.2.89 for hearing.

22.2.89

P.O is on leave . To fix 5.4.89 for hearing and order.

5.4.89

To fix 13.5.89 for hearing and order

13.5.89

On the prayer of the said petition , plaint is returned for presentation before the proper court .

3.6.89

On the prayer of the petition , register the application for probate. Affidavit of Assets already filed. Copy oif the same be filed by 1.7.89

1.7.89

Petitioner takes steps . Issue notice upon the collector . To fix 18.9.89 for valuation report . To fix 18.9.89 for return and order.

6.9.89

One of the near relative already appeared with petition praying for time , filing obj. To date 18.9.89 for order.

18.9.89

On the prayer of one of the near relatives to file for obj.

18.12.89

On the prayer of the petition to 14.2.90 for taking steps.

14.2.90

OP again files a petition praying for time for filing written objection . Pressed . The case has become contentious. Let the case be registered as original suit . To fix 4.4.90 for requisites , fees and cause title.

4.4.90

Cause title along with consent petition with petition filed by the defendants. To fix 16.5.90 for trial of the suit.

16.5.90

Both parties file hazira. The case is transferred to 5th court of Additional District Judge for disposal.

16.5.90

Received the record by transfer order. To fix 19.6.90 for framing of Issue in presence of both sides. Suggested issues to be filed in the meantime.

9.6.90

Plaintiff files a petition praying for fixing the date of direct hearing of the suit , without framing of issue and discovery of the record. To fix 23.7.90 for hearing of the petition.

23.7.90

Plaintiff files hazira. No step taken by the OP/ Respondents. To fix 23.8.90 for hearing the petition . Copy to be served.

23.8.90

Parties files hazira and suggested . Issue , Copy served . Issue framed . To 23.10.90 for discovery . The petition of 19.6.90 for file direct hearing of the suit is rejected at this stage .

23.10.90

Petition files hearing . Parties take no steps . To 17.12.90 , for hearing .

17.12.90

Plaintiff files hazira . P.O is on leave . To 29.1.91 for discover of documents.

29.1.91

Petitioner file a petition praying for fixing a date of hearing and also states that he has nothing to discover of documents except will which has already been filed. Perused the petition. To fix 6.3.91 for hearing of the petition.

6.3.91

Petitioner files hazira. P.O is in the midst of session trials and other civil appeal. To fix 8 .4.91 hearing of the suit.

8.4.91

Petitioner files hazira. P.O is in midst or session trial. To fix 16.5.91 for petition hearing.

16.5.91

Plaintiff files hazira. Respondent file no hazira. P.O is in the midst of sessions trial. To fix 21.6.91 for hearing the session.

21.6.91

Plaintiff files hazira. Respondent file no hazira. P.O is in the midst of sessions trial. To fix 1.8.91 for hearing the session

1.8.91

Plaintiff files hazira. Respondent file no hazira. P.O is in the midst of sessions trial. To fix 20.8.91 for hearing the session

20.8.91

Parties file hazira. Other side not ready for contesting . The suit is taken up for hearing . PW1 is examined. To fix 11.9.91 for further evidence.

9.9.91

Petitioner files vakalatnama. And files for recalling PW1 and PW2 for further examination with reasons stated therein.

11.9.91

Plaintiff files a petition praying for an adjournment. Parties file another verified petition praying for making this petition plaint of the original petition. To fix 30.9.91 for hearing the petition and further evidence.

30.9.91

Plaintiff files hazira. P.O is busy in pronouncement of judgement. To fix 4.12.91 for hearing .

4.12.91

Plaintiff files a petition praying for adjournment . Heard and considered. To fix 21.1.92 for hearing of petitions stated therein.

21.1.92

Petitioner files for hazira. And are ready. Heard lawyer . To fix 31.1.92 for order.

31.1.92

Order not ready . To fix 21.2.92 for order.

21.2.92

The judge is busy in trial. Heard the appeal. To fix 6.3.92 for order.

6.3.92

Record is put up for order. The plaintiff has filed a petition praying o recalling PW1 AND 2 for further exam as the evidence adduced nbybthem is not found satisfactory

The plaintiff has filed another petition praying for making the said petition as part of original petition. Perused both the petitions filed by the plaintiff and considered the submission of the learned lawyer for the plaintiff.

All the petitions are rejected . To fix 21.4.92 for further evidence.

21.4.91

Plaintiff files a verified petition . Praying for necessary order permitting recall of PW 1 and 2 on the points set out . To fix 19.5.92 for hearing of the petition.

19.5.92

Plaintiff files hazira. Plaintiff files hazira. Respondent file no hazira. P.O is in the midst of sessions trial. To fix 29.6.92 for hearing the session

29.6.92

Plaintiff files hazira and defendant prayed for adj. Stated thereby. To fix 10.8.92 for hearing of the petition.

10.8.92

Plaintiff files hazira and petitioner prayed for adj. Stated thereby. To fix 18.9.92 for hearing of the petition.

18.9.92

Plaintiff files hazira. P.O is on leave. To fix 9.11.92 or hearing the petition dated 21.4.92

9.11.92

As no lawyer attended court today as for resolution of the bar association , thus case is adjourned. To fix 2.12.92 for hearing the petition .

2.12.92

Plaintiff files hazira. The plaintiff files a petition with endorsement that advocate for the defendant is not found praying for adj. To fix 8.1.93 for hearing the petition dated 21.4.92

8.1.93

Plaintiff files a petition praying for adj. For the reasons stated therein. To fix 10.2.93 for hearing the petition.

10.2.93

Plaintiff files a petition praying for time on the ground stated therein. To fix 22.3.93 for hearing the petition.

22.3.93

Plaintiff files hazira . Defendant files no hazira and found absent . Hence adj. To fix 22.4.93 for hearing the petition.

22.4.93

Plaintiff files hazira and ready. Defendant files no hazira nor takes any step. The petition dated 21.4.92 is taken up for hearing. This petition is not pressed by the learned lawyer thus it is rejected.

To fix 27.5.93 for further evidence.

27.5.93

Plaintiff files hazira. Deft neither files hazira nor takes step. P.O is on leave. To fix 23.6.93 for further evidence.

23.6.93

Plaintiff files hazira. As I am busy in writing questions u/s 313 . Hence adj. To fix 22.7.93 for further evidence.

22.7.93

Plaintiff files hazira. As learned lawyer cease work from 12pm , adj. To fix 16.8.93 for further evidence.

16.8.93

Plaintiff files hazira. Learned lawyer of plaintiff files a petition praying for recall of PW 1. PW 1 is re-examined . PW3 is examined. On plaintiff's prayer , the suit is adjourned.

To fix 7.9.93 for further evidence.

7.9.93

Plaintiff files hazira and also files a petition praying for adjournment . Heard prayer . To fix 28.9.93 for further evidence.

28.9.93

Plaintiff files hazira. P.O is on inspection duty. To fix 30.11.93 for further evidence.

30.11.93

Plaintiff files a petition praying for adjournment on the ground stated therein. To fix 25.1.94 for further evidence.

25.1.94

Plaintiff files hazira and ready . Evidence closed. To fix 8.2.94 for hearing in presence of learned lawyer.

8.2.94

The suit is taken up for hearing exaparte. Heard the learned lawyer of the plaintiff in respect of the observation in the preceeding order and in respect of petition filed for granting probate in favour of the plaintiff on payment of maximum court fee of Rs. 10,000 as per decision reported in AIR 1989 S.C 100

Heard considered and prayer is allowed.

8.2.94

The case of the plaintiff is taken up today. The plaintiff has filed the probate suit ion order to get the probate of the will and codicil executed by the deceased plaintiff's father. The palitiff had to withdraw the case from judge court because the properties involved in the will and codicil is situated beyond the jurisdiction of the district delegate. Then again it was filed in the district judge court. The point of consideration is whether the probate of the will is to be granted to the plaintiff.

The suit is decreed on consent against the defendents. The will is granted to the plaintiff.

15.3.94

Plaintiff filed maximum court fee stamps of Rs. 10000 on 8.3.94 along with firsti and copies of the will and codicil. The probate is issued , sealed and signed this day.

25.8.94

Plaintiff after getting probate has filed an application of the Indian Succession Act 1925. Seen the application and the statements of accounts contained in the tin box. Considered. Prayer is allowed . The tin box containing the statements of the accounts be kept with the record lock and key.

5.5.95

Record is put up today to move a verified application of the deft no 1 praying for recall of order no .56 dated 25.8.94 for the reason stated therein. Heard submission of the deft's lawyer in whose favour fresh vakalatnama is being filed. To fix 31.5.95 for filing objection.

31.5.95

Plaintiff has appeared . Fresh vakalatnama is filed and has filed a petition praying for a date for filing w/o objection. Deft no. 1 has filed hazira. Prayer is allowed.. To fix 23.6.95 or filing objection.

23.6.95

Deft no 1 has filed fresh vakalatnama and has also filed an application supported with annexures and affidavit u/s 151. Copy served . Plaintiff has filed w/o objection against the petition dated 5.5.95. The deft 1 also filed an application . for temporary injunction. To fix 3.8.95 for hearing all petitions .

3.8.95

Plaintiff files hazira and written objection against the petition u/s 151 cpc read with sex 332 of Indian succession act. Copy served. Deft has also filed written objection against the plaintiffs. Ld lawyers of both sudes being present . The petitions are taken up for hearing.

To fix 1.9.95 for further hearing of the petition.

1.9.95

Both the parties have filed haziras. As ld lawyers of the local bar association are not participating in court proceeding today , matter is adj. To fix 14.9.95 for further hearing of the petition.

14.9.95

Both parties have filed haziras and ready. Hence adj. To fix 6.11.95 for further hearing of petitions.

6.11.95

Defendants ld lawyer is present . But the plaintiff has prayed for adj. By filing a petition on the ground of his lawyer. Prayer is allowed. To fix 6.12.95 for hearing the petitions .

6.12.95

Learned lawyers of both parties being present and all the pending petitions are taken up today for hearing. To fix 18.12.95 for hearing of plaintiff's lawyer.

18.12.95

Haziras filed by both the parties and their lawyers are present. To fix 10.1.96 for hearing of the plaintiff's lawyer for pending petitions

10.1.96

Deft's hazira is filed. Plaintiff junior lawyer has prayed for adj. He has filed another verified petition praying for direction upon the defendants to hand over the possession of properties for the reason stated therein. Heard submission for adj . To fix 18.1.96 for hearing of plaintiff's lawyer.

18.1.96

Defendants have filed a petition of w/objection against the plaintiff. Copy served. P.O is busy . To fix 1.2.966 for hearing of all the pending petitions.

1.2.96

Plaintiff has filed a verified petition of counter objection to the objection petition filed by the defendants. The P.O is busy , to fix 27.2.96 for hearing of the pending petitions.

27.2.96

Both parties file haziras. P.O is busy due to local bar's resolution. Thus adj. To fix 13.3.96 for hearing of the petitions.

13.3.96

Plaintiff's hazira is filed . P.O is on leave . To fix 25.3.96 for hearing all the pending petitions.

25.3.96

Deft no. 1 has filed a verified petition for direction upon the plaintiff to serve the copies of the audited balance sheet. As plaintiff shall have to file written objection. Prayer is allowed.

To fix 12.4.96 for hearing all the petitions.

12.4.96

Deft's ld lawyer is present and not pressed two petitions . As those petitions are not pressed, they are rejected. Plaintiff has filed written objection against the petiion dated 25.3.96 of the deft's copy.

The petitions of the deft's along with their written objections are taken up for hearing. Heard both the ld lawyers. To fix 30.4.96 for order.

30.4.96

Learned lawyers of both sides. The petiion for compromise is filed on 25 496 is heard. Heard both sides . It is submitted that pending matter be disposed of as per term of compromise which has already taken effect outside the court . So petition of compromise heard and disposed off.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	6	7
2	Presiding officer busy	4	6
3	Presiding officer on transfer order		
3	Presiding officer on leave	8	12
4	Request by defendant	2	2
5	Request by plaintiff	15	36
6	Both parties absent		
7	Defendant absent	1	1
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike	3	2
11	Adjourned for passing judgement		

Case No. 21

Sl. No.		
1.	Nature or type of suit	T.S 80/98 , Class 1
2.	Filed on	20.5.98
3.	Filed in which court	District court Sealdah
4.	When it was initiated	26.10.98
5.	When was the act of judgement	28.3.06
6.	How much time	8
7.	What was the result	Petition of compromise heard and disposed off
8.	Filed by	Plaintiff : Biswaranjan Saha Defendent: Madhabi Saha and others

20.5.98

Present S.P Chatterjee

The plaint is filed today Registration of the plaintiff is done and summons issued upon the defendant both by court and by registered post with A/D fixing 28.7.98 for appearance and contesting purpose. Postal receipt to be filed by the date fixed.

The suit is a suit of partition filed by the legal heirs of the deceased Upendra Chandra Saha .

28.7.98

Plaintiff files no hazira and summon is returned along with registered return and summon. The next date was fixed for 26.10.98

26.10.98

Plaintiff files hazira with postal receipt for regd. Return and summon. The next date fixed is 4.1.94

Later

The plaintiff files requisites . Let it be kept with the record and put up for the same.

4.1.99

The return of summon included and sent to Defendant appears by a power along with a prayer petition for time to file the written statement along with exhibit. Time is allowed till 26.3.99

26.3.99

The prayer is put up for s/r . To fix 23.7.99 for peremptory hearing.

12.7.94

The parties file hazira. The defendant file petition u/s 151. The next date to be fixed is 28.7.99 for hearing.

23.7.99

Plaintiff files hazira . The defendant file the written statement. Copy is sent and time petition is filed for objection filing. The next date for hearing 28.9.99 for hearing of petition u/s 151

28.7.99

Plaintiff files hazira. Deft prays for adj. Prayer is accepted for 18.8.99 . The petition u/s 1512 for repair.

18.8.99

Perused the petiion filed by the plantiff praying for repair of the suit premises. I have also gone through the written objection filed by the defts. This is a suit for partition. The repair work if allowed can give rise to multiplicity of proceedings. Thus rejected.

28.4.99

The defendants file for petition to allow repair work in the area they reside. Copy served.

To fix 7.1.2000 for next date.

7.1.2000

Thde parties file hazira. The defendant prays for adj. , prayer allowed. The next date fixed for hearing of petiion is 10.3.2000

10.3.2000

Adj.petition is taken up. Thus court is adj till 26.4.2000 for resolution in bar.

26.4.2000

Ld advocates of both sides. It is submitted by the ld advocate. For deft no 1,2,and 4 that a petition has been filed on behalf of the defts. Seeking court's permission to effect repair in the portion occupied by the defendants . It is submitted that the aforesaid defendants have been residing in that portion.

Also heard the ld. Advocate for plaintiff. Considering that the defts. /petitioners want to effect necessary repair to make their portion habitable , the petiion is allowed. The defts and petitioner is given permission to do the repair work.

22.6.2000

Not legible.

21.8.2000

Parties file hazira. To fix 23.11.2000 for issues.

23.11.2000

Issues are framed . On prayer of deft , court is adj till 10.1.2000

11.1.2001

10th being cease work . To fix 23.3.2001 for discovery.

23.3.2001

The plaintiff files for adj. The prayer is allowed till 27.4.2000

27.4 2001

Both parties file hazira. Defendant files for adj. The prayer is allowed till 4.7.2000

4.7.2001

The deft no 2 files petiion for discovery of record. They also pray for adj. The copy is served and prayer allowed. To file 23.8.2000

16.7.2001

The plaintiff files a verified petition praying for dismissing the suit for non procecuton . Put up date is fixed.

9.8.2001

Parties file hazira. Handwritting not legible.

23.8.2001

Parties file hazira. Petition is taken up for hearing . To date 21.11.2001

22.12.2001

In view of Id dist judges order no 860-9 , dated 21.11.2001. The case record is transferred to the learned . CJ , Supreme court , sealdah for disposal.

1.2.2002

Received the record on transfer for 2nd Add. District judge , sealdah . The next date fixed for hearing 2.4.02

2.4.02

Deft files hazira. Plaintiff takes no step as yet. None turms up on behalf of the plaintiff on repeated calls. In ther meantime , the plaintiff files a petition praying for time on the ground stated therein . Heard considered. To fix 23.5.02 for hearing of the petition dated 4.1.02 w/o framing in the meantime.

23.5.02

Plaintiff files hazira . P.O is onleave.

To fix 23.5.02 for hearing petitions

6.8.02

Due to bangle bandh , no work could be done today. To fix 23.9.02 for hearing petitions

23.9.02

Plaintiff files hazira . Defendant takes no steps . Defendant files hazira. Perused the prayer for amendment of W/S . heard both sides. Since the amendment doesn't change the nature of the suit, it is allowed. On contest. Let w/s as filed by defendants . To fix 10 12.02 for preemptory hearing of the suit.

10.12.02

Plaintiff takes no steps . P.O is on leave. To fix 11.2.03 for petition hearing.

11.2.03

Plaintiff files hazira. Deft no 1 to 4 files a petition . Heard Id adv , perused and allowed.

To fix 28.3.03 hearing suit.

28.3.03

Both sides file hazira. Plaintiff files petition praying for time. To fix 15.5.03 for further awarded.

15.5.03

Both parties file hazira . PW1 is examined in cheif in full and cross examined in part. At this stage defendant files a petition praying time on the ground . To fix 18.6.03 for further evidence.

18.6.03

Neither plaintiff not defendant files any hazira. Plaintiff to show cause as to why the suit shall not dismissed. To fix 7.8.03 for show cause.

7.8.03

Defendant files hazira. Plaintiff file hazira. With petition for show cause. The petiion is accepted . The next date fixed being 27.8.03

10.8.03

Plaintiff files hazira. Defendent files petition praying for time. The prayer is allowed and the next date for further evidence is 11.9.03

11.9.03

Both parties file hazira , the case is taken up for hearing. PW1 is further cross examined in full . Plaintiff's evidence is closed . Let another date be fixed for 15.9.03 for evidence on part

15.9.03

Both parties file haziras . Defendant no 4 file amended w/s copy. Defendants no 4 also files for some documents and firisti.

DW is examined and cross examined . Praying time on the ground stated therein. Prayer is considered and allowed. To fix 2.12.03 , for further evidence.

2.12.03

Plaintiff files hazira. Defendant files a petition along with medical bill . Praying time on the ground stated therein. To fix 11.12.03 for further evidence.

11.12.03

Plaintiff files haziras. Defendants file a petition praying for fresh power. Praying for time on the ground that a new lawyer is appointed. Considered and allowed. To fix 8.1.04 for further evidence on behalf of defendant.

8.1.04

Both parties haziras. P.O is transferred. To fix 1.3.04 for further evidence.

1.3.04

Both parties haziras. P.O is transferred. To fix 25.3.04 for further evidence.

20.5.04

Both parties haziras. P.O is transferred. To fix 22.6.04 for further evidence.

22.6.04

Both parties haziras. P.O is transferred. To fix 28.7.04 for further evidence.

28.7.04

Both the parties file hazira through their lawyers. P.O is transferred. To fix 3.9.04 for further evidence.

3.9.04

Both parties haziras. P.O is transferred. To fix 11.10.04 for further evidence.

11.10.04

Both parties haziras. P.O is transferred. To fix 10.12.04 for further evidence.

10.12.04

Both parties haziras. P.O is transferred. To fix 21.1.05 for further evidence.

21.1.05

Both parties haziras. P.O is transferred. To fix 3.3.05 for further evidence.

3.3.05

Both parties haziras. P.O is transferred. To fix 8.4.05 for further evidence.

4.4.05

Both parties file for compromise petition , jointly supported by the affidavits , praying to pass order on compromise , in terms of compromise petition. Put up date is fixed.

8.4.05

Both parties haziras. P.O is transferred. To fix 25.4.05 for hearing of compromise petition filed on

4.4.05

Both parties haziras. P.O is transferred. To fix 18.5.05 for hearing of compromise petition filed on 4.4.05

18.5.05

Both parties haziras. P.O is transferred. To fix 22.6.05 for hearing of compromise petition filed on 4.4.05

22.6.05

Defendant files haazira. P.O is transferred. To fix 12.7.05 for hearing of compromise petition filed on 4.4.05

12.7.05

Both parties haziras. P.O is transferred. To fix 18.8.05 for hearing of compromise petition filed on 4.4.05

18.8.05

Date is fixed for hearing of compromise petition. Both parties file hazira. Ld. Counsel for defendants submit that defendant no 5. Under stated fact and circumstances compromise petition in it is present cannot be disposed of plaintiff to take necessary steps. To fix 25.8.05 for hearing following steps by plaintiff.

25.8.05

Date is fixed for steps.

Both sides are present seeking substitution of deceased defendant no 5 by his legal heirs. Heard both sides. These legal heirs have stepped into the shoes of their predecessor in interest of late defendant 5 who was a party to the compromise petition dated 4.4.05 . Petition is accompanied by an affidavit. The prayer is heard and considered part of compromise petition. Case is taken up for hearing compromise petition. Plaintiff and defendant examined and cross examined is declined . Hearing is considered. Heard perused . Considered and the compromise petition is considered legal and valid. That the suit be and the same is decreed in terms of compromise petition .

21.9.05

Decree is signed and sealed on this date.

5.1.06

Plaintiff files a petition . Put up the record before Id court. Considered . Put up the record . Plaintiff prays to pass an order for drawing final decree in terms of preliminary decree. Let the petition be fixed on 24.2.06

24.2.06

Parties file no haziras. Today is fixed for hearing of petition filed by plaintiff. At the stage the local bar association has decided to hold function and allowed. In consequence of which the case is adjourned to 16.3.06 for hearing of petition filed by plaintiff for drawing final decree.

16.3.06

Date is fixed for hearing of petition seeking drawing up of final decree. Heard and considered.

Record is taken up for passing order. Hence the instant petition seeking drawing up of final decree. In view of above facts and circumstances petition seeking final decree be kept in abeyance for the time being for the ends of justice. Parties are at liberty to take further steps in view of above order by 28.3.06

28.3.06

Date is fixed for further steps by parties. The suit is decreed finally in terms of compromise petition . THE COMPROMISE PETITION and the map be made part of the final decree . Parties are directed to file necessary stamp paper for drawing up of the final decree at once.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	7	14
2	Presiding officer busy		
3	Presiding officer on transfer order	13	17
3	Presiding officer on leave		
4	Request by defendant	5	6
5	Request by plaintiff	3	4
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike	2	4
11	Adjourned for passing judgement		

Case No. 22

Sl. No.		
1.	Nature or type of suit	T.S 119/83 , Class 1
2.	Filed on	16.4.83
3.	Filed in which court	District court Alipore
4.	When it was initiated	12.12.83
5.	When was the act of judgement	20.6.96
6.	How much time	13
7.	What was the result	Petition first decreed on contest, then due to plaintiff's non compliance behavior with court's order, the decree is rejected.
8.	Filed by	Plaintiff: Jitendra Kr. Nath Defendant: Subrata Nath

16.4.83

Parties file hazira. Registered issue of summons upon the defendants fixing 18.12.83 on contest.

12.12.83

Defendants appear by power and files an application w/s 151 cpc supported by affidavit. Copy served and objected to.

15.12.83

Plaintiff files objection to the petition u/s 151 cpc . Copy received. To file 16.1.84 for hazira of the petition/s 151 cpc

20.12.83

18th being holiday . Record is put up . Deft files a petition praying for time to file w/s. Time is allowed till 7.1.84

16.1.84

Parties file haziras. P.O is under transfer. The case is adj. To 16.12.84.

17.1.84

Plaintiff files hazira. On the application of the deft , put up on 9.2.84 for filing w.s.

9.2.84

Present Sri S. Raha

Plaintiff file hazira. On the application of the deft, put up on 2.3.84 for further W.S. No S/R of the petition.

16.2.84

Parties file haziras. P.O is on transfer . As there is no time , the case is adj. To 12.3.84 for hearing of petitions.

Sri K.K Kundu

2.3.84

Plaintiff file hazira. Deft no.26 file W.S . Copy served. Let the W.S filed by the defts. Put up on 15.3.84 for waiting for the reutnr of summon upon the defts. 1,2,4 and 5

12.3.84

Both sides filed their haziras through respective lawyers. The suit is taken up for hearing. The petition is allowed in part and is ordered to the defts to take steps accordingly. No cost today.

15.3.84

Summon served on the defts 1,2,4,and 5 but they didnot appear. To fix 11.4.84 for settlement of issue. Documents to be filed accordingly in 7 days.

11.4.84

Heard . Received petition accordingly . Issue settled . To fix 17.5.84 for taking steps for discuss, interrogatories and impetus etc.

17.5.84

Plaintiff files a petition u/o 11 r12 . CPC prayer for directing the deft to discuss the documents on oath. Copy not served . Plaintiff is directed to serve the copy to the petitioner by 12.6.84

Later

On application of the deft , put up on 12.6.84 for taking stpes.

12.6.84

Deft file hazira . Plaintiff's petition dated 17.5.84 for directing the deft to discover the documents is put up. Copy served . Prayer is allowed. Deft is directed to discover the documents on oath by 5.7.84

5.7.84

Plaintiff files hazira. Deft no .3 swears an affidavit as to documents u/o 11 r 13 cpc. Copy served . Let it be kept with the record. Plaintiff is to take steps for discovery of documents by 6.8.84

6.8.84

Deft file hazira. Plaintiff has sworn an affidavit as to documents. Copy served. To fix 15.9.84 for S.D.PH (Settling date of peremptory hearing

15.9.84

Diary is congested. To fix 22.12.84 for S.D.P.H

22.12.84

Diary is conjested. To fix 23.2.85 for SDPH

23.2.85

Diary is conjested. To fix 4.5.85 for SDPH

11.4.85

Defts file an application to put order of injunction on plaintiff along with affidavit. Supported by an affidavit prayer for passing order on defendants. To fix 15.4.85 within 1pm for service of urgent requisites anf if the same are not paid within time , the injunction petition shall stand dismissed without any further reference.

15.4.85

No requisites appear to have been files by the defendants. In view of the prder no .20 dated 11.4.85 the petition for injunction filed for defendants stand dismissed. Record need not be put up on 27.4.85

19.4.85

Record is put up . It appears that the defendants prayed for injunction and it requires modification . It is modified and put up , hence injunction will be put to effect on all plaintiffs. Accordingly the adj. Dated 15.4.85 stands vacated. To fix 2.5.85 for filing objection by the plaintiffs . The petition u/s 151 cpc is allowed.

2.5.85

Defendants file hazira. To fix 21.5.85 for hearing of the injunction matter.

4.5.85

Diary is congested . To fix 6.7.85 for SDPH.

21.5.85

This is a petition filed by defts dated 11.4.85 . Injunction is allowed and the petition is disposed off on consent.

6.7.85

Diary is congested . To fix 31.8.85 for SDPH

31.8.85

Diary is congested . To fix 7.12.85 for SDPH

25.9.85

Defendants file a petition for amendment of the original w.s on the grounds as stated therein . Copy served

7.12.85

Parties file hazira. To fix 9.1.86 for petition hearing.

9.1.86

This is an application for amendment of W.S filed by defendants. The suit is for partition of the suit property . The prayer for amendment of the W.S cannot be allowed at this appellate stage of the suit. The prayer stands rejected.

8.2.86

Diary is congested . To fix 19.4.86 for SDPH

19.4.86

Diary is congested . To fix 21.6.86 for SDPH

21.6.86

Plaintiff files vakalatnama. Diary is congested . To fix 23.8.86 for SDPH

6.12.86

To fix 2.2.87 for petition hearing .

2.2.87

Defendants file hazira. Plaintiff file a petition for praying for time. Adj. Till 14.2.87

14.2.87

Plaintiff file hazira. Defts file petition praying for adj. For petition hearing as stated within the copy served. To fix 21.4.87 for petition hearing.

21.4.87

The suit is taken up for petition hearing. The plaintiff take no steps. It is now 10.48 am. The learned lawyer for the defts undertake to file a petition for adjournement. As the plaintiff donot take any step . CF is paid . It is ordered that the suit stands dismissed for defendants with cost to the defendants .

Later

After above order is passed . Defts file petition praying for adj.

Later

Misc 18/87

u/o 9 Rule 9 w.s. 151 of cpc.

This is an application u/o 9 rule 9 that with section 151 of cpc filed by the plaintiff / petitioner with payer to vacate the adj. Dated 21.4.87 dismissing the petition. To fix 5.5.87 for filing requisites.

5.5.87

Petitioner files a petition with a prayer for time to file requisites. Prayer is allowed. To fix 10.6.87 for filing requisites.

10.6.87

No steps taken by the petitioner , petition is directed to show cause by 10.7.87 as to why misc case shall not be dismissed for default.

18.6.87

Requisites filed along with process fee.

10.7.87

The petition filed by the petitioner on ground stated therein . To fix 2.11.87 for return of summons.

Later

Petitioner is directed to take steps.

2.11.87

Hazira filed through learned lawyer . Issue of notice upon the O.P through court . To fix 23.12.87 for return.

23.12.87

No steps taken by the petitioner. To fix 15.2.88 for return and steps.

15.2.88

Seen return of notice. A petition under order 5 rule 20 of cpc has been filed by the petition . Put up on 9.4.88

9.4.88

Petitioner files hazira through adj. Record is taken up for hearing of the petition u/o 5 rule 20 of CPC. Heard and considered. Prayer is allowed.

3.5.88

Requisites put in. Issue notice upon the defendant accordingly. To fix 4.7.88

4.7.88

Hazira filed on behalf of the petitioner . P.O is on leave till 2.8.88.

2.8.88

Hazira filed on behalf of the petitioner . Received service of the notice . Plaintiff to take better step for service of notice. To fix 8.9.88

8.9.88

Hazira filed in behalf of the petitioner . Received notice . To fix 26.11.88 for exparte hearing.

20.11.88

Hazira file on behalf of the petitioner . It is ordered that the misc case under 9 R 9 cpc be allowed exparte without cost . The original suit be restored to its file and number at stage where it was dismissed for default and the petitioner.

16.12.88

The issue is taken and ex parte is allowed without cost. The original suit is restored. The petitioner is directed to serve notice to defts. By 2.2.89

2.2.89

The summons are served to the defts.

To fix 23.3.89 for hearing.

23.3.89

Plaintiff files hazira along with postal receipts . Summons to defts are served. No postal A/D against no.1 and 6

Defts no.1 ,3 and 6 appear by filing a petition with a prayer for time to take appropriate steps.

Considered and to fix 17.4.89 for taking steps.

17.4.89

Plaintiff files a petition with a prayer for taking steps . Prayer is considered and allowed. To fix 17.5.89 for taking steps.

10.4.89

This is an application filed by petitioner . Register it as misc case. To fix 25.4.89 for requisites.

25.4.89

Petitioner files a petition. With prayer for time. P.O is transferred. To fix 22.6.89 for requisite.

17.5.89

Plaintiff files a petition u/o 5 rule 20 cpc. Praying for an order for substituted service of summons. To fix 14.6.89 for hearing of the petition.

14.6.89

Plaintiff files hazira. Plaintiff petition dated 17.5.89 is taken up for hearing. Prayer accepted for plaintiff . To fix 25.7.89 for filing requisites u/o 5 rule 20.

22.6.89

Misc 16/89

Petitioner file a petition with prayer for time to file requisite . To fix 20.7.89 for requisites.

20.7.89

Requisites put in issue.Summons u/o 5 rule 20 CPC upon the defts. To fix 11.9.89 for order awaiting returns.

11.9.89

Plaintiff files hazira . Summons upon the defts duly served . To fix 27.11.89 for petition hearing.

21.9.89

Misc 16/89

Hazira filed on behalf of the petition . Nonreturns as yet. To fix 14.12.89 for return

27.11 .89

Plaintiff file hazira. Defts file a petition. Praying for adj. Prayer is allowed with cost of Rs. 30. Adj.

10.1.90

14.12.89

Hazira filed on behalf of the petitions . To fix 13.2.90 for return.

10.1.90

Plaintiff files hazira. Deft files a petition praying for an adj. At petition hearing. Adj. To 26.2.90

13.2.90

Hazira filed on behalf of the petitioner . O.P no. 1 to 4 appear by filing a petition and prays for supply of copy. To fix 9.3.90 for supply of copy.

26.2.90

Plaintiff files hazira. Defts file a petition praying for an adj. Of hearing of the suit. Adj. To 22.3.90 for petition hearing of the suit.

9.3.90

Hazira filed on behalf of the person. Copy of application u/o 9 rule 13 of CPC served with objection. Petition filed on behalf of OP with a prayer for filing objection. To fix 19.4.90 for filing objection

22.3.90

Both parties rfile hazira. The record is taken up for petition hearing. At this stage deft. Files a petition praying for fixing up a date at petition hearing at the suit after disposal of pending misc case . Heard both sides and considered.

19.4.90

Petition files hazira. Objection filed by the O.P 1 to 3 . To fix 2.6.90 for petition hearing

2.6.90

Hazira filed on behalf of the O.P . Petitioner files a petition with a prayer for adj. To fix 28.7.90 for petition hearing.,1

28.7.90

Hazira filed a behalf of the petition along with the PW . The PW is examined is put up . Heard and considered . Prayer is allowed.

To fix 25.8.90 for further cross examination of PW1.

25.8.90

Both the parties file hazira through their Id. Lawyer . Record is put up . P.O is busy. To fix 17.11.90 for further cases.

17.11.90

Both the parties file hazira through learned lawyer. The record is taken up for hearing. PW is examined fully discharged. Petitioner also file a petition with a prayer for adj. To fix 5.1.91 for further evidence.

O.P files hazira. Peitioner files petition with prayer for adj. To fix 23.2.91 for further evidence.

23.2.91

Both parties file hazira through their learned lawyer. P.O is engaged . To fix 23.3.91 for petition hearing and objection.

23.3.91

Hazira filed on behalf of the OP.P Petitioner files a petition with a prayer of adj.Prayer is allowed. To fix 27.4.91 for further evidence.

17.4.91

Hazira filed on behalf of the petitioner. Petition prays for further examination of two process server names of O.P and also for adj. Till 18.5.91 Issue of summons prayed for.

18.5.91

Hazira filed on behalf of OP. Record is taken up for hearing ata the time of petition as been filed on behalf of the petitioner with a prayer for adjournment of hearing on the ground . Considered. The prayer of petition is allowed. To fix 22.6.91 for further evidence.

22.6.91

Hazira filed on behalf of the O.P Today is fixed for further evidence. Record is taken up hearing. Deft prays for a date for argument on the ground stated therein. The prayer of Deft. Is considered. To fix 20.7.91 for argument.

19.7.91

Petition filed on behalf of deft. . With a prayer for re issue of summon , the prayer of deft. is allowed

20.7.91

Hazira filed on behalf of the petition as well as deft. Deft. Files petition to adduce evidence. Heard learned advocate, considered and prayed. Deft no. 2 fies a petition for time and time is allowed till 27.7.91

27.7.91

Hazira filed on behalf of the petitioner as well as OP. The court corss examined the parties in full . To fix 17.8.91 for argument.

17.8.91

Both parties file haziras. The case is pending for argument. Heard argument. At this stage petitioner files a petition praying for an adj. Prayer is accepted. To fix 7.9.91 for further hearing of the argument.

7.9.91

Both parties are present. Heard argument of both parties. To fix 28.9.91 for order.

28.9.91

Order is ready . To fix 5.10.91 for order.

5.10.91

The record is put up for order. The contention of the petitioner is that T.S No. 119 of 1963 which was dismissed for default has been restored to file on the basis of MISC Case No. 18 OF 1987 filed by opposite parties No. 1,2,and 3. Their further contention is that they never received the summons and notice. They were not aware of the misc case no.18 and it was heard in ex parte They have further contended that the opposite parties suppressed the service of notice of the said Misc case no 18. Thus the Misc case No. 16 of 1989 is allowed on contest with the cost of 200 to be paid to petitioners to the opposite parties.

15.2.92

OP files a petition praying for an order to fix a date of hearing of the Misc case no 18/87 on the grounds stated therein. Let the petition be kept with record.

29.2.92

The record is put up on the prayer of the deft. Head the learned lawyer for the OP is Misc 16/89 To fix 14.3.92 for hearing of the misc case .

14.3.92

Applicants files a petition srating that he has deposited Rs 200 by chalan as cost

Later

Petition files hazira. Deft . files a petition praying for service the copy to defts. Prayer to serve copy upon the O.P at once. To fix 25.4.92 for objection by the OP

25.4.92

Petitioner files hazira. O.P files a objection today . Copy served and objected to. To fix 23.5.92 for petition hearing of the misc case.

23.5.92

Both parties file hazira. P.O is busy. To fix 20.6.92 for petition hearing.

20.6.92

Parties file hazira. Petitioner files a petition praying for injunction supported by an affidavit. To fix 1.8.92 or hearing the petition.

1.8.92

Both parties file hazira. Application with 151 cpc is marked as exhibit A on admission tendered by ops. At this stage , petitioner files for adj. And prayer is allowed. To fix 8.8.92 for further hearing.

The prayer of injunction is allowed and disposed of.

8.8.92

Parties file hazira. Case is taken up or hearing argument at his stage on O.Ps prayer adj to 22.8.92 for argument of the Misc case.

22.8.92

On plaintiff's prayer adj. To 21.11.92 for hearing of the petition.

21.11.92

There is no delay in the matter of filing the instant petition , that the misc case be and the same is allowed on cost of Rs. 100 . Let the suit be restored to its original file and number.

8.1.93

Petitioner files a petition along with copy of challan showing payment of Rs. 100 as cost of misc case , praying for fixing time for hearing of the suit. To fix 11.3.93 for steps by the parties.

11.3.93

Plaintiff files a petition praying to take steps on the ground stated and is allowed. To fix 11.5.93

11.5.93

Plaintiff files a petition praying to take steps on the ground stated and is allowed. To fix 15.6.93

15.6.93

Plaintiff takes no steps. To fix 3.8.97 for steps.

3.8.93

Plaintiff files a petition , praying for time to take steps. To fix 23.9.93 for steps.

23.9.93

Plaintiff files a petition praying for time to take steps on the ground stated therein and is allowed. To fix 13.12.93 for steps.

13.12.93

Plaintiff files a petition praying for time to take steps on the ground stated therein and is allowed. To fix 23.3.94 for steps

23.3.94

Plaintiff files a petition praying for time to take steps on the ground stated therein and is allowed. To fix 29.4.94 for steps

29.4.94

Plaintiff takes no steps. Due to cease work the case is adj. To 9.6.94 for steps

9.6.94

Plaintiff files hazira. No return as yet. To fix 3.8.94 for order.

3.8.94

Plaintiff files hazira. No return as yet. To fix 27.9.94 for order.

27.9.94

Plaintiff files hazira. No return as yet. To fix 23.12.94 for order.

23.12.94

Plaintiff files hazira along with postals praying for time to file w/s on the ground stated therein . to fix 3.2.95 for w/s .

3.2.95

Plaintiff files files hazira. Deft files petition praying for time to file w/s on the ground stated therein. To fix 14.5.95

14.3.95

Plaintiff files files hazira. Deft files petition praying for time to file w/s on the ground stated therein. To fix 20.4.95

20.4.95

Record is put up but record is misplaced. To fix 4.8.95 for w/s

4.8.95

Plaintiff files hazira. No steps taken. To fix 14.9.95 for filing w.s

14.9.95

Plaintiff files hazira. Defts files a petition files for time to file w/s on the ground stated therein . It appears from the record that the defts already filed w/s To fix 17.11.95 for petition hearing .

17.11.95

Plaintiff files hazira. Deft files a petition praying for adj. At petition hearing. To fix 15.12.95 for petition heaing

15.12.95

Plaintiff files hazira. Deft file a petition praying for adj. And prayer is accepted. To fix 11.1.96 for petition hearing as last chance.

11.1.96

Both parties file hazira. The suit is taken up for hearing. pw 1 is examined in chief , deft prays for ADJ. To fix 13.2.96 for further hearing of the suit.

13.2.96

Both parties file hazira. The suit is taken up for further hearing. PW1 is further examined for hearing. At this stage he also files a petition for adj. Further. Adj. Is allowed. To fix 19.2.96 for further hearing of case.

19.2.96

Both parties file haziras. PW1 is further cross examined . At this stage plaintiff files a petition for adj. For further hearing. Heard and prayer is allowed. To fix 1.3.96 for further hearing.

1.3.96

Both parties file hazira. The suit is taken up for further hearing. At this stage plaintiff files a petition for adj. For further hearing. Heard and prayer is allowed. To fix 13.3..96 for further hearing

13.3.96

Deft. Files hazira. Plaintiff files a petition praying for time . Heard and prayer is allowed. To fix 26.3.96 for further hearing of the suit.

26.3.96

Both parties file hazira. The suit is taken up for further hearing . P.W 2 is examined and cross examined in full. Deft prays for adj. Heard the prayer and adj allowed. To fix 10.4.96 for further r hearing of the suit.

10.4.96

Both parties files haziras. The suit is taken up hearing. DW1 is examined in chief and cross examined. At this stage deft files a prayer for adj. Heard and considered. To fix 22.4.96 for further r hearing of the suit.

22.4.96

Both the parties file hazira . P.O is busy. To fix 15.5.96 for further hearing of the suit.

15.5.96

Present Shri Kanchan Chatterjee

Both parties file hazira. The suit is taken up for further hearing . At this stage Deft files a petition praying for adj. At further hearing at the suit of the ground stated therein. Prayer adj is allowed. To fix 5.6.96 for argument and for further incidence if any.

5.6.96

Both parties file hazira. The suit is taken for arguments. At this stage deft files a petition praying for adj. Of further hearing of the suit. Prayer for adj. Is allowed. To fix 11.6.96 for argument.

11.6.96

Both parties file haziras . The suit is taken up for argument. Heard both sides. . To fix 20.6.96 for delivery of judgement.

20.6.96

Judgement is ready and pronounced in open court.. Thus the suit be and dame is decreed on contest against defts.

1.7.96

Decree is prepared , sealed and signed today.

7.12.96

Plaintiff files a petition for getting back all the documents . Let it be kept with record.

11.12.96

The petition dated 7.12.96 filed by plaintiff for getting back all the documents is put today. Prayer is allowed. Next day fixed is 20.1.98

20.11.98

Plaintiff files hazira. Notice not yet received after service. To fix 4.1.99 awaiting return and A/D , postal receipt to be filed.

4.1.99

Plaintiff files hazira. Notice not yet received after service. To fix 20.2.99 awaiting return and A/D , postal receipt to be filed.

21.4.99

Plaintiff files hazira. A/D not yet received. Plaintiff has not yet filed postal receipts. He is directed to show cause by 11.6.99 as to why his fixed decree petition shall be rejected.

11.6.99

Plaintiff has not filed hazira nor postal receipts. He has not shown show cause in compliance with court's order. Hence the petition for the final decree dated 24.6.98 is rejected.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	25	43
2	Presiding officer busy	4	6
3	Presiding officer on transfer order	4	4
3	Presiding officer on leave	1	1
4	Request by defendant	16	24
5	Request by plaintiff	22	36
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	1	1
11	Adjourned for passing judgement		

Case No.24

Sl. No.		

1.	Nature or type of suit	T.S :60/2006 (class 1) first it was T.S 100/2001 then the room got changed)
2.	Filed on	5.7.2001
3.	Filed in which court	District court Alipore
4.	When it was initiated	9.7.2001
5.	When was the act of judgement	5.3.08
6.	How much time	7
7.	What was the result	Order is decreed on ex parte.
8.	Filed by	Plaintiff : Gita Rani Dalai and others Defendent: Shankar Dalai and others

5.7.01

Plaintiff's case in nutshell is basically that he is the predecessor of defendant no. 1 who died leaving a certain property under the provision of the West Bengal land reforms act 1955 , and with possession. Defendants have no right , title and interest over the said property , inspite of that they are trying to encroach the suit property and disturb plaintiff's possession therein . Accordingly instant suit has been filed. Defendants no. 1 and 2 have contested the instant suit by filing written statement . They have denied all material allegation as made in the plaint , case of the defendants in short were in possession of the suit property . Further case of the defendants is that Plaintiff's predecessor obtained the property by way of misrepresentation . Thus defendant 1 has filed an application to get part of suit property . Plaintiff cannot get decree on the basis of fake patta.

This suit is presented . This is a suit for declaration of title and injunction. Perused the valuation statement. Prerequisites filed and sent for registered A/D . Thus fixing 27.8.01 for ascertaining contest of suit filed on 30.7.01

9.7.2001

The record is put up on prayer of plaintiff . Plaintiff files document as per list. Let it kept with record. The injunction petition is moved for issuance of an order of interim injunction. Perused and considered the injunction petiion along with the plaint and documents are filed.

20.10.2001

Plaintiff files hazira. Deft takes no steps. To fix 4.1.2002 for steps

4.1.2002

Plaintiff files hazira. Deft files petition for vacation of petition of injunction , showing cause . To fix 7.2.2002 for expenses.

7.2.2002

Plaintiff files hazira. Deft files petition for time. It is rejected. To fix 27.2.2002

27.2.2002

P.O is transferred . To fix 12.6.2002

27.5.2002

Plaintiff files a petition praying for adjournment of exparte hearing on the ground stated therein. Defts file three petition , one for showcause and delay. Another for exparte. Both petitions rejected.

125736/2019/NM

12.6.2002

P.O is transferred . To fix 14.8.2002.

19.8.2002

P.O is transferred . To fix 18.12.02

18.12.2002

Due to cease work declared , court is adjourned. To fix next date as 17.3.03

17.3.03

P.O is transferred. To fix 19.5.03

19.5.03

Plaintiff files hazira. To fix 23.7.03

23.7.03

Both parties file hazira. Deft file WS affidavit praying for vacating petitions. Heard and accepted. To fix 25.8.03

25.8.03

Both parties are present for hearing. To fix 10.9.03 for show cause, now the petition is taken up for hearing. Both parties are heard and the case is disposed off. To fix 23.9.08 for filling of documents , discovery etc

10.9.03

Both parties files hazira. Defts file a petition praying for amendment of WS . Deft files the answer . To fix 16.12.03

23.9.03

Plaintiff files hazira. Deft takes no steps. To fix 16.12.03

16.12.03

P.O is on leave. To fix 11.3.03

11.3.04

Deft files hazira. The petition is taken up for hearing.

Heard both sides and considered . To fix 31.3.04 is kept for hearing.

31.3.04

Deft files hazira. Requisites file by the petitioner . To fix 3.6.04 for S/R , P/H. To fix 3.5.04 for hearing of the petition

4.5.04

3.5.04 is a holiday . To fix 8.09.04 for hearing the petition dated 11.3.04

3.6.04

To date 8.9.04 for SR AND PR

11.11.2004

The record is put up today . To fix 7.1.2005 for hearing the petition.

7.1.2005

The deft file hazira. The plaintiff file hazira with P.R . To fix 3.2.2005 for SR/ PR.

3.2.2005

Parties file hazira. To fix 7.3.05

17.3.2005

The deft file hazira. The plaintiff file hazira with P.R . To fix 27.4..2005 for SR/ PR.

27.4.05

The deft file hazira. The plaintiff file hazira with P.R . To fix 23.6.2005 for SR/ PR.

23.6.05

The plaintiff files hazira. To fix 21.7.2005 for compiled plaint and fresh steps.

21.7.05

The deft file hazira. The plaintiff files a petition praying for steps and compiled plaint. The prayer is allowed. To fix 17.8.2005 for compiled plaint.

17.8.2005

Today is fixed for compiled palint and steps taken for deft. The deft files hazira. The plaintiff is to showcause by 24.10.05

24.10.2005

As per resolution of local bar , case is adjourned. To fix 8.11.2005 for showcause by plaintiff.

8.11.2005

The deft files hazira. The plaintiff files a petiion praying for time. The prayer is allowed at cost of rs. 100. To fix 16.1.2006 for compiled plaint.

15.12.06

The record t.s 100/2001 be transferred to the civil court kakkdip for disposal.

16.1.2006

Plaintiff takes no steps. Defts no.'s 1 and 2 file hazira. Case is adjourned for the ends of justice. Since the case record has been transferred to this court on 23.12.05

To fix 24.1.06 for filing complaint

24.1.06

Hazira filed by the learned advocate on behalf of deft 1 and 2 . Plaintiff's are directed to showcause within 14 days as to why this suit must not be dismissed. To fix 8.2.06 for order.

8.2.06

Deft files hazira. Today is fixed for showcause and order. To fix 27.2.06 for show cause of complaint as last chance and to date for order.

28.2.06

The petition was put up on 27.2.06 due to local holiday . It is put up today . To fix 22.3.06 for showcause by plaintiff as last chance

22.3.06

Plaintiff files hazira along with showcause . Petition stating the grounds for not taking steps. To fix 17.4.06 is fixed for showcause.

17.4.06

Both parties file hazira. Plaintiff files fresh vakalatnama. Defts file show cause. To fix 4.5.06 for WS if any.

4.5.06

Dismissing the suit and other petition u/s 6 of 18 cpc. To fix 8.6.06 for hearing of petition .

8.6.06

Both parties file hazira . Today is fixed for hearing of petition 106 r 18 of CPC code. To fix 14.6.06 as hearing petition.

14.6.06

Plaintiff files hazira. Deft files a petition praying for adj. Of hearing on the grounds as stated in the petition. The prayer is considered and allowed. To fix 6.7.06 for hearing of petition.

6.7.06

Today is fixed for hearing petition dated 4.5.06 . At this stage it appears to me that an issue should be framed. To fix 20.7.06 for hearing.

20.7.06

Parties file hazira. The case is put up. Heard learned lawyers of both sides. To fix 19.9.06 for petition hearing.

19.9.06

Today record is taken up for order in respect of issued framed on 6.7.06. On perusal of plaint it is right for the suit to proceed by law. To date 17.10.06

17.10.06

Plaintiff files hazira along with petition praying for exchanging the name of the defts . Deft files hazira. To fix 21.11.06

21.11.06

Both parties are [present and case is taken up for hearing and record is put up. To fix 2.12.06 for the steps by plaintiffs.

2.12.06

Defts files hazira . Plaintiff files a petition praying for petition to take steps. It is allowed and the next date fixed for hearing is 4.1.07 for steps by plaintiff.

4.1.07

Plaintiff files a petition praying for adj. Upon grounds stated s=therein. To fix 13.2.07 for steps by plaintiff.

13.2.07

Deft no.1 and 2 files hazira. Plaintiff files a petition praying for time to take steps. To fix 8.3.07 for steps by plaintiff.

8.3.07

Plaintiff files a petition praying for time. Deft files for hazira. The prayer is taken up as last chance. To fix 12.4.07 for steps as last chance.

12.4.07

Plaintiff files a petition praying for asking the deft to file for answer interrogations with interrogation. Deft files hazira. Copy is served. To fix 10.5.07 for filing petition u/o 4 cpc.

10.5.07

Parties file hazira. The petition is taken up for hearing. Heard learned lawyers of both sides. To file by 7.6.07 for interrogations.

7.6.07

Deft files hazira. Heard learned lawyer of both sides. To fix 5.7.07 for petition hearing of the suit.

5.7.07

Parties files hazira and suit is taken up for hearing. To fix 30.8.07 for petition hearing.

30.8.07

Parties file hazira. Deft files affidavit and cross examination to be continued. To fix 20.9.07 for further hearing.

20.9.07

Parties file hazira. The case is taken up for further hearing. Heard both sides. At this stage deft 1 and 2 file a petition. To fix 15.11.07 for petition hearing.

15.11.07

Parties file hazira. The case is taken up for petition hearing . Heard lawyers on both sides. To fix 29.11.07

29.11.07

Palintiff files hazira along with examination in chief as PW 2. Heard both sides and cross examined in full. To fix 13.12.07 for DWS.

13.12.07

Plaintiff files hazira. Deft files hazira along with examination in chief on DWS . Heard both sides and defendants examined. At this stage depts file a petition for affidavit. The prayer is allowed. To fix 3.1.08 for petition hearing of DW1.

3.1.08

Parties file hazira P.O is on leave. To fix 24.1.08

24.1.08

Parties file hazira. The case is taken up for petition hearing. Heard learned lawyers on both sides. At this stage deft ask for adj petition. To fix 31.1.08 for petition hearing.

31.1.08

Plaintiff files hazira. Deft files hazira along with examination in chief as DW2 . Heard both sides. To fix 14.2.08 for argument.

14.2.08

Parties file hazira. The case is taken up for argument. Heard learned lawyers on both sides. At this stage petition ask for adj petition. To fix 21.2.08 for petition hearing.

21.2.08

Plaintiff files hazira. Depts 1 and 2 file hazira along with documents . The case is taken up for argyment. To fix 5.3.08 for delivery of judgement.

5.3.08

Today is fixed for delivery of judgement. Judgement is delivered and record is kept. Plaintiff's title in respect of the suit property is hereby declared.

18.3.08

Decree is prepared today . It is noted in the orescribed register for verification of the lawyer concerned.

20.3.08 Decree is sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	13	40
2	Presiding officer busy		
3	Presiding officer on transfer order	4	12
3	Presiding officer on leave	3	3
4	Request by defendant		
5	Request by plaintiff		
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike	2	4

11	Adjourned for passing judgement		
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Case No. 25

Sl. No.		
1.	Nature or type of suit	T.A 169/ 1989 , Class 1
2.	Filed on	11.5.89
3.	Filed in which court	District court Alipore
4.	When it was initiated	13.7.89
5.	When was the act of judgement	20.1.94
6.	How much time	5
7.	What was the result	Order is dismissed on contest
8.	Filed by	Plaintiff: Janaki Dasi Defendant: Indu Bhusan Das

11.5.89

That the plaintiff being aggrieved by and dissatisfied with the judgement and decree dated 11.3.89 passed by third munsef court at alipore. Begs to prefer this memorandum of appeal against the defendant for reversal order.

This is a case of tenancy where the plaintiff's father in law died leaving behind his wife who went insane after some time. Thus the plaintiff later found from a neighbour that they have been evicted by an ex parte order that the landlord has filed in the court with T.S 267 OF 1978 where it was dismissed on contest . The plaintiff again files a case of title ownership via the present case where he urges the learned court to go through the contents gain as it seems that the learned court has overlooked the same and has dismissed the case . The plaintiff has filed this case to remove the eviction and allow ownership of the said property to his mother in law.

Register court fees paid. Requisites put in . To admit the appeal. Issue notice upon the respondent through court and by regd. To date 13.7.89

13.7.89

Respondent has entered appearance by filing power. To date 29.8.89 for order.

29.8.89

Lower court record not received . To date 4.11.89

4.11.89

LCR not yet received. To 16.12.89 for order.

16.12.89

LCR received and charged . The appeal is otherwise ready for hearing. To fix 18.1.90 for transfer of appeal.

12.3.90

The case is shifted to 8th district judge.

14.3.90

Received by transfer of disposal. To fix 8.5.90

8.5.90

Respondent files hazira. Petitioner files document. To make documents as exhibit and copy to be served . Thus to fix 26.6.90 for hearing of appeal.

26.6.90

Parties file hazira. Plaintiff files petition for adjournment. To fix 14.8.90 for hearing of appeal.

14.8.90

Appellant files hazira. Respondent files a petition for adj of hearing on the ground stated therein. To fix 7.11.90 for hearing of appeal.

7.11.90

Appellant files hazira. Respondent files a petition for adj. Of hearing on the ground stated therein. To fix 19.12.90 for hearing of appeal.

19.12.90

Appellant files hazira and files for objection . P.O is engaged. To fix 27.2.91

27.2.91

Appellant files hazira. Respondent files a petition for adj on the ground stated therein. To fix till 26.4.91 for hearing appeal.

26.4.91

Respondent files hazira. Appellant files a petition for objection stated on the ground stated therein. Prayer is allowed. P.O is on leave. To fix 27.6.91

27.6.91

Appellant files hazira. Respondent files a petition for objection for hearing appeal on the ground stated therein. Prayer is allowed. To fix 19.8.91 for hearing appeal.

19.8.91

Appellant files hazira. Respondent files a petition for adj of hearing on the ground stated . Heard both sides and prayer is allowed. To fix 3.12.91 for hearing appeal.

3.12.91

Appellant files hazira. Respondent files a petition for adj. Of hearing . Copy seen and no objection filed. Prayer is allowed. To fix 12.2.92

12.2.92

Parties file hazira. Respondent files petition . Heard both sides. Prayer is allowed. To fix 8.4.92 for hearing of appeal.

8.4.92

Appellant files hazira along with documents. Respondent files a petition for adj. Prayer is allowed. To fix 9.6.92 for hearing

9.6.92

Appellant files a hazira. P.O is on transfer. To fix 6.8.92 for hearing appeal.

6.8.92

Parties file hazira. P.O is engaged . No time today. To fix 3.11.92 for hearing of appeal.

4.11.92

3rd being declared holiday. The record is put up today. To fix 10.1.93 for hearing of appeal.

11.1.93

10th being Sunday , the record is put up today. Appellant files hazira. To fix 17.3.93 for hearing of appeal.

17.3.93

Parties file hazira. P.O is on leave . To fix 7.5.93 for hearing of appeal

7.5.93

Parties file hazira . It is 12 now and the there is cease work in local bar. To fix 30.6.93 for hearing of appeal.

30.6.93

Parties file hazira. P.O is engaged. No time today. To fix 6.8.93 for hearing of appeal.

6.8.93

Parties file hazira. Lawyer of the respondent is found absent. To fix 16.9.93 for hearing appeal.

16.9.83

Parties file hazira . Heard both parties. Next date for judgement is 18.12.93

20.1.93.

Judgement delivered in open court. It is dismissed on contest.

22.2.93

Decree is signed and sealed today.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	12	23
2	Presiding officer busy	3	8
3	Presiding officer on transfer order	1	2
3	Presiding officer on leave	2	4
4	Request by defendant		
5	Request by plaintiff		
6	Both parties absent		

7	Defendant absent	1	1
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike	2	5
11	Adjourned for passing judgement		

Case No. 26

Sl. No.		
1.	Nature or type of suit	T.A 259/1991 , Class 1
2.	Filed on	16.8.91
3.	Filed in which court	District court of Kachrapara
4.	When it was initiated	18.2.92
5.	When was the act of judgement	11.5.94
6.	How much time	2
7.	What was the result	Appeal is dismissed on contest
8.	Filed by	Plaintiff: Amar Kr. Mukherjee Defendant: Kalidas Mukherjee

16.8.91

The plaintiff is aggrieved and dissatisfied with the judgement and decree dated 25.1.91 and 5.2.91 respectively and asks for reverse order , in the case T.S 192/1986 . The owner of the said property died leaving four sons to have them. This case is filed by one of the sons of the four brothers. The probabte was granted for the said will. One of the brothers died leaving the property to be divided equally between he descendants of the other three brothers. The plaintiff states that the defendants have taken over the property and are creating all forms of obstructions for the plaintiff. The plaintiff states that firstly the number of his premises has been changed so that he cannot receive the water supply of the corporation with bill. There is a common passage between the premises of the plaintiff and defendants and the defendants have opened a pantry cum snacks bar which creating a lot of problem and disturbance while defendants file for the dismissal of court by negating the facts and circumstances. This case was dismissed on contest in favour of the defendant.

This case was re- filed for the same reason , so that the case facts be rechecked.

Requistes are registered and filed to be sent to the defendants. This appeal is filed within the time limit. Admits the appeal and notices are issued upon the respondent simultaneously through court and regd. To fix 17.9.91 for return of summons and order.

17.9.91

The summons have returned after service because unserved. Notice through court has not yet been returned after service. To fix 19.11.91 for return and order.

19.11.91

Notice upon respondent no.1 and no.3 has not yet been returned after service. To fix 10.12.91 for return and order.

10.12.91

Notice upon the respondent no. 1 and 3 has not been returned . To fix 10.1.92 for return and order.

10.1.92

Notice upon the respondents 1 and 3 and has returned . To fix 3.2.92 for return and order.

3.2.92

Notice upon the respondent no 1 and 3 has not been returned after service. Appellant is directed to take step for service of fresh upon respondent by 18.2.92

18.2.92

Appellant files a petition praying for taking step on the ground stated therein . The prayer is allowed . To fix 5.3.92 for taking step.

5.3.92

Notice upon the respondent no 1 and 3 returned after service but the service report is not satisfactory.. To take step by 25.3.92.

25.3.92

Appellant files a petition praying for time for taking steps on the ground stated therein. The prayer is allowed as last chance . To fix 10.4.92 for taking steps.

10.4.92

Appellant files a petition supported by an affidavit praying for issuing notices upon the respondent 1 and 3 on the ground stated therein . Perused the record . They have a reason to believe that respondents are deliberately avoiding to receive the court notice. The prayer is allowed. To fix 28.4.92 for filing requisites.

28.4.92

Requisites put in . Issue notices upon the respondents. To fix 29.5.92 for return and order.

29.5.92

Service return and the petition u/05 R20 is not received after service. Appellant files a petition supported by affidavit praying for giving water supply. To fix 30.7.92 for hearing of the petition.

30.7.92

On the prayer of the respondent 1 and 2 the case is adjourned to 5.11.92 for hearing of the petition.

5.11.92

Respondent files hazira. Copy of the petition is not served . The case is adjourned to 28.1.93 for hearing of the petition .

29.1.93

28th being holiday , the record is put up today . The case is adjourned to 22.3.93 for hearing .

22.3.93

Parties are ready . written objection against the petition for water supply in the suit premises is filed. Copy served and LCR received. The appeal is now ready. The appeal be transferred to the court of the 8th additional district judge , alipore.

31.3.93

Received the record and put for disposal. To fix 24.5.93 for hearing of the appeal .

24.5.93

Petition is filed for adjournment of hearing appeal by respondents. It is adj. Till 15.7.93 for hearing appeal.

15.7.93

Respondent files hazira. Plaintiff files a petition of adjournment of hearing appeal. The prayer is allowed and court is adjourned till 27.8.93

27.8.93

Respondent files hazira. Appellant files a petition for adj of hearing. Thus this petition is rejected. Applant again files a petition for further hearing of appeal. Heard and the prayer is allowed. As last chance. Thus the last date is 21.9.93 for hearing of appeal.

6.12.93

Appleant files hazira. Respondent files a petition for adj of hearing . Prayer is allowed. Thus adj. Till 17.1.94 for hearing appeal.

17.1.94

Parties file hazira. The appeal is put up for hearing. Heard on behalf of appellant . On the other hand the appellant files a petition for adj. Of hearing. Prayer is allowed. Thus it is adj. Till 18.1.94 for hearing of appeal.

18.1.94

Petitioner files hazira. The appeal is taken up for hearing . Heard both sides . To fix 27.1.94 for judgement.

27.1.94

Judgement is delivered and the appeal is dismissed on contest with copy served to both parties.

11.5.94

The decree is signed and sealed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	13	20
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave		
4	Request by defendant		
5	Request by plaintiff		
6	Both parties absent		
7	Defendant absent	1	1
8	Plaintiff absent	1	3
9	Awaiting order/instructions from High Court		
10	Scheduling error/holiday declared/strike	1	3
11	Adjourned for passing judgement		

Case No.29

Sl. No.		
1.	Nature or type of suit	T.S : 634/2006, Class: 1
2.	Filed on	7.9.06
3.	Filed in which court	District court Alipore
4.	When it was initiated	21.9.06
5.	When was the act of judgement	20.3.09
6.	How much time	3
7.	What was the result	Dismissed on contest
8.	Filed by	Plaintiff : pareshch. praminick Defendent: Sreedam ch. Gayen

7.9.06

Plaint filed today . Register the plaint. Requisite filed . Issue summons through post fixing 17.10.06 for ascertaining contest. Vakalatnama filed by sri d. bhandari adv is allowed . To file receipt on

21.9.06

Plaintiff;s case in nutshell is like that kiranbala deb was the owner of the suit property . She transferred the said land to gobardhan pramnck and sarbeshwar pramanick predecessors of plaintiff by virtue of sale deed . Thereafter the plaintiff was their only heir and he has been possessing the land eversince. Accordingly LR record of rights stands in the name of the plaintiff , defendant purchased rest of the suit plot from the heirs of the plaintiff's predecessor. Defendant has no right , title and interest in the suit land . Inspite of that he is disturbing peaceful possession of the plaintiff in respect to suit land . Accordingly instant suit has been filed. Defendant has contested the instant suit by filing written statement on 4.01.07 . He has denied all material allegation as made in the plaint. The defendants rather claim that they are in possession of the land and the plaintiff has no claim on it.

11.9.06

Learned advocate for the plaintiff moves a petition u/o 39 r1 and r2 praying for temporary injunction. The plaintiff and defendants are heard both and interim injunction is referred at this stage. Plaintiff to put requisites.

21.9.06

Plaintiff files hazira with PR. To date 17.10.06

17.10.06

Plaintiff file hazira. Petition not yet received. To fix 15.11.06

15.11.06

Plaintiff files hazira. Deft appears by power and files a petition praying to file WS . To date 28.11.06

17.11.06

Case received is put up by a put up petition u/o 39 rule cpc. Heard lawyers . To date 28.11.06

28.11.06

Deft file petition praying for time to file w/s . It appears from the petition that ground for extension of time for filing w/s is not reasonable . To fix 4.12.06 for filing . Record is taken up for hearing. Also an inspection commissioner is asked to serve notice upon the parties . To date 22.12.06 for report.

6.12.06

Writ is prepared , sealed and signed this day.

22.12.06

Parties file hazira. Report not yet received. To fix 29.1.07 for report.

4.1.07

The record was not put up on 4.12.07 . It is put up today . Plaintiff files hazira. Deft files w/s . To date 29.1.07

12.01.07

Commisioner submits his final report . let it be kept with record.

29.1.07

Parties file haziras. P.O is on leave . Case is adj. To fix 1.3.07 for acceptance of w.s

1.3.07

Parties file hazira. The case is taken up for acceptance of W/S . Heard both sides. W/S filed by defendants . Let the w/s be accepted. To fix 19.3.07 for filing issues.

19.3.07

The P.O is on leave . Parties file hazira.

10.4.07

Plaintiff files hazira along with petition praying for amendment of plaint. To fix 15.5.07 for hearing of petition.

15.5.07

Both parties file hazira. Record is taken up for hearing amendment petition dated 10.4.07, perused the petition , plaint . Heard the advocates of both the parties . It appears that for considering multiplicity of proceedings the instant application ought to be allowed. Accordingly it is ordered that the instant application is considered and allowed with cost of Rs. 50. To amend the plaint herewith. To fix 25.5.07 for additional w.s

25.5.07

Parties file haziras. P.O id on leave. To fix 6.6.07 for filing W/S and to fix for filing issues.

6.6.07

Parties takes no steps. Case is adj. as per resolution of local bar To fix 18.6.07

18.6.07

Plaintiff files hazira. Deft files haziras along with additional W/S . Copy to be served . To fix 13.7.07

13.7.07

Parties file hazira. Heard lawyers on both sides . Issues are framed accordingly and in separate sheet. To fix 4.8.07

4.8.07

Parties take no steps Case is adj as per resolution of local bar. To fix 21.8.07 .

21.8.07

Parties file haziras . To fix 11.9.07 for petition hearing . Parties come ready on that date.

11.9.07

Plaintiff files hazira along with examination in chief as pw1 . deft files hazira. heard both sides. pw1 is examined in part. at this stage plaintiff files a petition. To fix 19.9.07 as next date.

19.9.07

Parties take no steps . Case is adj due to resolution of local bar. The next date being 4.10.07

4.10.07

Record is taken up for hearing injunction application . U/O r 1 and 2 read with s-151 of Cp code . Perused the petition , plaint was and materials on record . Heard both parties . It is ordered that the parties shall maintain status quo in respect of the schedule properly till disposal of suit. Thus the injunction application is disposed of. To fix 5.12.07 for further hearing of PW.

5.12.07

Parties file hazira. The case is taken up for hearing. PW1 heard in full and cross examined . At this stage deft files for adj. of petition. The prayer is allowed. To fix 17.12.07

17.12.07

Parties file hazira. P.O is on leave. To fix 8.1.08

8.1.08

Parties takes no steps. Case is adj. as per resolution opf local bar. To fix 15.1.08 for further hearing.

15.1..08

Parties file haziras. The case is taken up for hearing. Heard both lawyers. PW1 is cross examined in full and discharged. To fix 28.1.08

28.1.08

Both parties file hazira. P.O is on leave. Case is adj. To fix 13.02.08

13.2.08

Plaintiff files hazira along with PW2 AND PW3 , examination in chief. Deft files hazira. Heard both sides. PW2 and PW3 is examined and discharged in full. At this stage defts file for adj. The prayer is allowed. To fix 4.3.08 for WS.

4.3.08

Plaintiff files hazira along with DW2 AND DW3 , examination in chief. Plaintiff files hazira. Heard both sides. DW2 and DW3 is examined and discharged in full. At this stage defts file for adj. The prayer is allowed. To fix 13.3.08 for WS.

13.3.08

Plaintiff files hazira along with DW 1 , examination in chief. Plaintiff files hazira. Heard both sides. DW1 is examined and discharged in full. At this stage defts file for adj. The prayer is allowed. To fix 25.3.08 for WS.

25.3.08

Parties file hazira . The case is taken up for argument. To fix 31.3.08 for delivery of judgement.

31.3.08

Parties file hazira. Today is fixed for delivery. Heard both sides. Judgement is given I open court , that the suit shall be dismissed on contest.

2.4.08

Decree is prepared today . It is noted in the prescribed register for verification of lawyers concerned.

5.04.08

Decree is sealed and signed this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	12	12
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave	5	6
4	Request by defendant		
5	Request by plaintiff		
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	2	15 days +20 days
11	Adjourned for passing judgement		

Case No.30

Sl. No.		
1.	Nature or type of suit	1995 , Case No. NA
2.	Filed on	26.9.1994
3.	Filed in which court	District court alipore
4.	When it was initiated	10.4.1995
5.	When was the act of judgement	13.12.2000
6	How much time	6 years
7.	What was the result	Dismissed on contest.
8.	Filed by	Plaintiff: Mr. Arun Kumar Ghosh Defendant: Mrs. Kironmyee Mondal

26/9/1994

Case was filed for grant of probate of the estate of the will executed by Anil Kumar Mondal who died on 6/1/1994 refiled before this court when Act 99 lease no. 42/94 district detgete Alipore became contentious. Application was registered as an original suit. There is a contention between two parties regarding who has the right to property.

1/12/1994

Plaintiff files a petition praying for permission to file requisite Court fee . The petition is misconceived and rejected.

16/2/1995

Plaintiff filed a petition for bein exempted from filing Court fee. It is stated that there is no caveat entered in respect of the estate left by the testator. Perused, as there is no caveat enteted, the prayer for exemption is allowed.

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Issues summon fixing 10.4.1995

10/4/1995

Present: shri S.N Burman

Petitioner files hazira. On the prayer of defendant more time is allowed till 6.7.95 for next filing.

6/7/1995

Present: Shri S.P.Dutt

Defendant has not entered appearance.

The case is transferred to 3rd Court of the Additional District Judge, Alipur for disposal.

14/7/1995

Present: Shri T.D. Banerjee, Addl. District Judge

Received the record on transfer from the District Judge, Alipore for disposal.

23/8/1995

Defendant files for more time Petitioner Arun Kr. Ghosh files a petition supplemented by an affidavit. The defendant plea is accepted.

16/9/1995

Previous petition filed is called for hearing. Petitioner files a petition for grant of letter of administration. (illegible Handwriting)

The defendant opposite has raised objection on grounds that the petition is not maintainable.

15/11/1995

The letter of administration is not granted.. Petitioner asks for more time. Hearing shifted to 6/12/1995

24/11/1995

Filing of W/S

6/12/1995

Defendant files a petition for adjustment of hearing.

18/12/1995

Both parties file the w/s file. Copy send. Let the W/S be shifted to 19/1/1996 for framing of issue.

19/1/1996

Both the parties file hazira along with the suggested issues. It appears that the petitioner has filed this suit for grant of probate of Will alleged to have been left by the testator Anil Kumar Mondal and that the suit is being contested by the defendant opposite party alleging that no will was executed by the testator. The suit is almost ready for hearing and disposal. The petitioner has prayed for probate on the will. No letter of administration granted

16/2/1996

Both parties file haziras. Issues are framed. To 29/3/96 for discerner of documents.

29/3/1996

Defendant files hazira. Plaintiff files a petition praying for time to file discovery of documents . Defendant files an application praying for discretion upon the plaintiff for discovery of documents. Copies served . Prayers allowed.

9/5/1996

Record dispute up this day as 7.5.96 was holiday due to general elections.

13/6/1996

Defendant files affidavit as to documents. Plaintiff files a petition praying for time to file discovery of documents . Prayer is allowed

20/7/1996

Defendant files hazira. Plaintiff files a petition along with M.C. praying for time. Prayer is allowed.

7/9/1996

Both parties file hazira. Due to cease work of Id. Lawyer Alipore Bar association , the case is adjourned for filing

18/11/1996

Plaintiff file hazira. Advocate files an enforcement stating that defendant KiranMoyee mandal died on 28/9/1996

17/12/1996

Plaintiff files an application under 22 Rule & CPC supported by affidavit

21/1/1997

Plaintiff files hazira. Defendant asks for time. The application of rule 22 is filed for later hearing.

24/2/1997

(illegible)

11/4/1997

Defendant did not appear . Petitioner praying for time for filing.

16/5/1997

Plaintiff files hazira. Defendant files a ph and asks for time for filing WS.

27/6/1997

Plaitiff files hazira. Defendant files a ph praying for time.

7/8/1997

Defendant files a hazira and also asks for time on the ground stated in the petition.

20/9/1997

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Plaintiff files a petition for 6 Rule 17CPC prayng for amendment. Copy not send. Plaintiff file supplementary affidavit.

Copy not send. Defendant asks for time.

4/12/1997

Plaintiff files hazira and also firiste showing service copy of petition supplementary affidavit. Defendant asked to serve copy of WS

27/1/1998

Defendant asks for adjournment. Plaintiff files a PH supported by affidavit stating that defendant subodh mondal died on 25.12.1997. They pray for directing defendant to name the legal heir of deceased.

20/2/1998

Hearing adjourned due to cease from the local bar.

30/3/1998

Plaintiff files a hazira. Defendant asks for time on ground stated with petition

30/4/1998

Plaintiff files hazira. Defendant asks for time on ground stated with petition

1/6/1998

Plaintiff files hazira. Defendant asks for time on ground stated with petition

4/7/1998

3rd July being bandh. New date issued.

27/7/1998

Both parties file hazira. Defendant gives name of legal heir. Plaintiff files n application praying for mbastitution the name and address of legal heir which is later up for hearing. New date given for filing request for service.

18/8/1998

Plaintiff files for PH praying for time

26/10/1998

Defendant files hazira. Plaintiff asks for time

1/12/1998

Defendant files hazira. Plaintiff asks for time

18/1/1999

Request put in. Issue summoned for mbastitution

11/3/1999

Plaintiff & defendant file hazira (ILLEGIBLE)

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3/5/1999

Plaintiff files hazira. All the above orders passed. Defendant no. 1a appear by passes

29/5/1999

Plaintiff files hazira . A/D card for defendant(d) is not received.

9/7/1999

Both parties file hazira. A/D card for 1(d) is not received.

12/8/1999

Plaintiff file hazira . Defendant file hazira. A/D card for 1(d) is not received.

5/10/1999

Plaintiff file hazira . Defendant file hazira. A/D card for 1(d) is not received.

23/12/1999

Plaintiff file hazira . Defendant file hazira. A/D card for 1(d) is not received.

15/12/2000

Plaintiff files a ph praying for _____. A/D card of defendant not received.

3/4/2000

Case adjourned as per resolution of local Bar association

17/5/2000

Defendant files A/D card . To 14/6new for A/D card

14/6/200

Defendant file a petition for objection of grant of probate. A/D card for defendant 1(d) not received.

20/7/2000

Defendant & plaintiff file hazira. (Defendant (d) appear & file ph Illegible)

24/8/2000

Defendant no.2 files a petition prayinf for adjournment

19/9/2000

Both the parties files hazira. The consent ph filed by defendant dt 14/62000 and 20/7/2000 taken up for order.

16/11/2000

Both parties & lawyer file hazira. Case is taken up for P. hearing Evidence disclosed

13/12/200

Judgement is delivered in open. ADJ court in seperate sheet.

15/12/200

Decree prepared ,sealed & signed.

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18/1/2001

Plaintiff file ph supported by affidavit

6/2/2001

Both the parties present. The ph by plaintiff is taken up for hearing.

9/2/2001

Plaintiff files verified petition praying to accept highest court fee of Rs 10,000 to issue probate of the will. Plaintiff is permitted to accept/deposit fee & probate is issued.

13/2/2001 Received copy of will from head clerk, Dist. Judge alipore court after verification . Probate prepared. Proposed, sealed & signed by this day.

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	11	24
2	Presiding officer busy	4	6
3	Presiding officer on transfer order	2	4
3	Presiding officer on leave	1	2
4	Request by defendant	5	14
5	Request by plaintiff	3	7
6	Both parties absent		
7	Defendant absent	1	1
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement		

Case No. 31

Sl. No.		
1.	Nature or type of suit	T.S 53/47
2.	Filed on	8.7.1946
3.	Filed in which court	District court Alipore
4.	When it was initiated	3.8.1946
5.	When was the act of judgement	14.5.1956
6.	How much time	10
7.	What was the result	Dismissed on contest
8.	Filed by	Plaintiff : Smt Mrilanini Defendent: Sushila Bala Dasi

Suit No. 53/47 of 1947

Suit No. 53/47 of 1947 is a civil suit filed by the plaintiff for appointment of a Receiver over all the properties of the estate, of testator Ram Krishna Das, including those alleged to have been alienated for protection, preservation and due and proper management of them.

The suit is files by the plaintiff Smt. Mrinalini against the defendant Smt. Susila Bala Dasi and 10 other defendants on [date]. Plaintiff's case is that Ram Krishna Das, father of plaintiff and husband of defendant no. 1, has left immovable and movable properties worth Rs. 12,61,180/- and left no debts and liabilities. The defendant no.1 is a Hindu lady of very weak intellect having no idea of proper management of the estate. The defendant no.2, who was the manager of the estate of her husband is a very shrewd man and defendant no.1 fell victim to defendant no.2 and lost herself and allowed to be a toy in the hands of defendant no.2. The defendant no.3 is the local officer for defendant no.1 and is an accomplice and associate of defendant no.2.

Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing (approx. in months)	Adjournment period required by law	Remarks
8-07-1946	Register the application and issue notice	03-08-1946	1 month		Adjourned for next hearing
03-08-1946	Applicant file hazira. Notice upon party no 1 to 6, 8 and 9. Party no 6 file vakalatnama and party no 9 appear and filed a petition praying to file objection. Time is arranged till 24-8-1946 for filing objection. Notice not returned by party no 9	24-08-1946	1 month		Adjourned for next hearing
24-08-1946	Notice to party no 9 served to appear. Owing to abnormal situation of the case, 7-9-46 for filing objection if any	7-9-46	1 month		Adjourned for next hearing
02-09-1946	Objection filed by party no 9				
07-09-1946	Objection filed already. Fixed 21-09-1946 for fixing the date hearing	21-9-46	1 month		Adjourned for next hearing
21-09-1946	To 9-11-1946 fixing the date after awaiting response from the government.	9-11-46	2 months		Awaiting orders from government
9-11-1946	Govt report the case is adjourned till 30-11-1946 for fixing the date of hearing	30-11-46	1 month		Adjourned for next hearing
14-11-1946	Plaintiff filed a petition praying for amendment off the plaint. Put up 23-11-1946 for hearing	23-11-46	1 month		Adjourned based on petition by plaintiff
23-11-1946	Adjourned to 30-11-1946	30-11-46	1 month		Adjourned for next hearing
30-11-1946	The petition for amendment of the application is put up.	21-12-46	1 month		Adjourned for next hearing

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21-12-46	Applicant files hazira. Notice served. No appearance made.	18-1-47	1 month		One or more parties absent
18-1-47	Party no 7 appears, files a petition praying time to file objection. Prayer accepted	25-1-47	1 month		Adjourned based on petition by defendant
25-1-47	Applicant files hazira of party no 7. Case adjourned till 8-2-47 for filing objection	15-2-47	1 month		Adjourned for next hearing. Multiple adjournments to 8-2-47, 15-2-47
15-2-47	Applicant files hazira. Objection filed by party no 7	1-3-47	1 month		Adjourned for next hearing
1-3-47	Awaiting collector's report.	15-3-47	1 month		Awaiting orders from government
15-3-47	No report received from collectors office.	17-5-47	2 month		Awaiting orders from government. Multiple adjournments to 29-3-47, 26-4-47, 10-5-47, 17-5-47
17-5-47	Received report from government.	31-5-47	15 days		Adjourned for next hearing
31-5-47	Applicant files hazira. Party no 9 files a petition praying for time on grounds that marriage of daughter is going to take place. Allowed prayer.	7-6-47	7 days		Adjourned based on petition by defendant
7-6-47	Plaintiff to file requisites by 18-6-47	18-6-47	10 days		Adjourned for next hearing
18-6-47	Requisites for summons filed.	18-7-47	1 month		Adjourned for next hearing
18-7-47	Summons to defendant other than defendant no 1,2,7,9,10 returned after service. WS on behalf of defendant no 3 filed. Defendant no 4,6,7,8, appears to pray for time to file WS>	14-8-47	1 month		Adjourned based on petition by defendant
4-9-47	Defendant no 4,5,6,7 pray for time to file WS. Prayed granted. Each to pay adjournment cost Rs. 4/-	19-9-47	14 days		Adjourned based on petition by defendant
19-9-47	WS on behalf of defendant 4,5,6,7 filed but copied not given to plaintiff. Adjourned and defendant to give copies in the meantime	26-9-47	7 days		Adjourned for next hearing
26-9-47	Receipt showing supply of copy to plaintiff files by lawyer. Put up for further notice	15-11-47	2 months		Adjourned for next hearing
15-11-47	On prayer of guardian time arranged till 2-12-47 for filling affidavit	2-12-47	1 month		Adjourned based on petition by defendant
2-12-47	The guardian of defendant further asks 1 week more time	16-12-47	14 days		Adjourned based on petition by defendant
18-12-47	Guardian of defendant 10 file affidavit in compliance with order	10-1-48	1 month		Adjourned for next hearing
10-1-48	Adjourned till 5-3-48 for filling affidavit	5-3-48	2 months		Adjourned for next hearing
5/3/48	Petition supported by an affidavit put up by the plaintiff praying for appointment of receiver. To 12-03-1948 for order in presence of all sides of order.	12-3-48	7 days		Adjourned for next hearing

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12-03-1948	An affidavit in the form of objection filed on behalf of defendant no 7. Defendant no 8 ,9 pray for time to file objections	27-3-48	14 days		Adjourned based on petition by defendant
27-03-1948	Objection against the prayer for appointment of receiver filed on behalf of defendant no 9	12-4-48	14 days		Adjourned for next hearing
12-04-1948	Objections filed on behalf of defendant no 1, 5, and 8 against the prayer for receiver	27-4-48	14 days		Adjourned for next hearing
27-04-1948	Time allowed till 7-May on prayer of defendant no 7	1-5-48	7 days		Adjourned based on petition by defendant
1-05-1948	Defendant no 5 and 8 file documents as per lists with petitions praying for acceptance of documents.	7-5-48			Adjourned for next hearing
7-05-1948	Certain documents as per list files on behalf of defendant no 7	25-5-48	21 days		Adjourned for next hearing
26-05-1948	Time allowed till 14-June-1948 for hearing the receiver matter. Plaintiff files a petition praying for adjournment of hearing.	14-06-48	21 days		Adjourned based on petition by plaintiff
11-06-1948	An affidavit has been filed on behalf of plaintiff				
12-06-1948	An affidavit has been filed on behalf of plaintiff. Let the document be kept with the record				
7-7-1948	The matter of application for appointment of receiver and objection thereto are taken for hearing	17-7-48	10 days		Adjourned for next hearing
17-7-1948	Judgement in matter of appointment of receiver is passed and kept in separate sheet. The appointed receiver to furnish security within 10 days as directed.				
1-9-48	Received information form High Court directing to transmit copies of certain relevant papers. Defendant directed to supply papers within 3 days. Let it be kept with the record				
18-01-1949	Received back copy in appeal from original order. The petition of compromise is put up.	29-5-49	4 months		Adjourned for next hearing
29-5-49	The matter is put up. Heard lawyers of all sides. Defer the matter till final hearing	15-7-49	2 months		Adjourned for next hearing
15-7-49	Defendant no 8 puts a petition praying that WS no 1,2,3, 10 of affidavit filed on behalf of plaintiff be strike off	15-12-49	5 months		Adjourned for next hearing
15-12-49	Plaintiff filed a petition supported by affidavit	4-2-50	2 months		Adjourned for next hearing
4-2-50	Plaintiff files a petition for substitution in place of declared petition	13-7-50	5 months		Adjourned for next hearing
13-7-50	Plaintiff filed a petition praying for 15,000/- Let this petition be kept in record	28-3-51	6 months		Adjourned for next hearing

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28-3-51	Plaintiff files petition praying for direction upon the commissioner	26-7-51	4 months		Adjourned for next hearing
26-7-51	Defendant no 9 files an application for disparaging the plaintiff on ground that she has alienated one of the items during pendency of suit. Engaged in decision for hearing petition	10-5-52	8 months		Adjourned for next hearing
10-5-52	Application on behalf of defendant no 10 for directing receiver to take charge of properties on suit	19-5-52	9 days		Adjourned for next hearing
19-5-52	Plaintiff directed to pay requisite court files by 4-6-52				
16-3-53	Plaintiff files hearing petition for fixing the hearing of matter	8-6-53	3 months		Adjourned for next hearing
8-6-53	Dismissed application of defendant 9 with cost to plaintiff irrespective of result of but on mercy	3-7-53	1 month		Adjourned for next hearing
3-7-53	Copy of files sent to HC for further permission	3-4-54	7 months		Awaiting orders from government. Multiple hearings.
3-4-54	Received copy of order of appeal from High Court. The appeal has been dismissed for non-prosecution. Some papers merit has been received but original record sent to HC not received.	3-12-55	20 months		Awaiting orders from government. Multiple hearings but record not received from HC
3-12-55	Record received discharging the parties without cost	6-3-56	3 months		Adjourned for next hearing
6-3-56	Suit transferred to sub judge	14-5-56	2 months		Adjourned for next hearing
14-5-56	Plaintiff and defendant no 5,8 files a joint petition of compromise and pray that suit may be dismissed. Defendant no 4-8 also prays for the suit to be dismissed. Prayer granted. Sent to disposal in presence of law				

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	35	59
2	Presiding officer busy		
3	Presiding officer on transfer order		
3	Presiding officer on leave		
4	Request by defendant	8	5
5	Request by plaintiff	2	2
6	Both parties absent		
7	Defendant absent	1	1
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court/ Government	11	32

10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement	1	1

Case No. 32

Sl. No.		
1.	Nature or type of suit	T.S 127 Of 1988
2.	Filed on	14.5.1988
3.	Filed in which court	District court Alipore
4.	When it was initiated	12.7.1988
5.	When was the act of judgement	14.3.97
6.	How much time	9
7.	What was the result	Petition dismissed on the basis of compromise
8.	Filed by	Plaintiff : Laksmi Rani Shaw Defendent: Karthik Ch. Shaw

Suit No. 127 of 1988

Suit No. 127 of 1988 is a civil suit filed by the plaintiff to effect mutual partition of the joint property by metes and bounds since the joint possession has become impossible in view of the detrimental attitude of the defendant.

The suit is filed by the plaintiff Smt. Lakshmi Rani Shaw, wife of Sri Kartik Ch. Shaw and Sri Binode Shaw Versus the defendants – Bhim Chandra Shaw (Defendant no 1), Sri Mohan Shaw (Defendant no 2) and Sri Madan Shaw (Defendant no 3)

The plaintiff prays -

1. For passing a decree in preliminary form declaring the plaintiffs 2/5 share in the suit property.
2. For passing a decree for appointment of a survey pass commissioner for effecting partition by metes and bounds in terms of preliminary decree.
3. For passing final decree of partition
4. For passing a decree for account against the defendant in preliminary form.
5. For appointment of Accounts commissioner to check and verify the accounts in terms of preliminary decree
6. For passing a final decree for accounts
7. For appointment of receiver
8. For injunction
9. For passing a decree for all costs incidental charges and expenses to the suit
10. For such further or other reliefs the plaintiffs may be otherwise entitles to under law and equity.

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Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing (approx. in months)	Adjournment period required by law	Remarks
14 - 05 - 1988	Register the case. Issue summons to the defendants through court as well as registered post fixing 12-7-88 as next date	12-07-1988	2 months		Issue summons
12-07-88	Adjourned to 11-10-1988 for order awaiting summons	11-10-1988	3 months		Adjourned for next hearing
11-10-88	Plaintiff files hazira to 9-2-89 for return and order	9-2-89	4 months		Adjourned for next hearing
9-2-89	Plaintiff files hazira. Adjourned to 28-4-89 for order awaiting	28-4-89	2 months		Adjourned for next hearing
28-4-89	Plaintiff files hazira. Summons not yet return to 18-7-89 for return and order	18-7-89	3 months		Adjourned for next hearing
18-7-89	Plaintiff files hazira. Adjourned to 3-11-89 for order awaiting summons	3-11-89	4 months		Adjourned for next hearing. Awaiting Summons
3-11-89	Plaintiff files a hazira and files a petition praying for accepting the summons upon default. Fix 12-1-90 for hearing the petition	12-1-90	3 months		Adjourned for next hearing
12-1-90	Plaintiff files hazira, is engaged otherwise. Fix 2-4-90 for next hearing	2-4-90	3 months		
2-4-90	Plaintiff files a hazira. As per resolution of Bar Association lawyer not appear before the court. To 25/5/90 for next hearing	25-5-90	1 month		One or more parties absent
25-5-90	Plaintiff files a hazira and is ready. Plaintiff's petition is put up for hearing. It appears that summons against defendant no 3 not yet return and no receipt filed. So the petition is baseless and rejected. Plaintiff to take proper steps by 2-6-90	2-6-90	1 month		Awaiting Summons
2-6-90	Plaintiff files a petition along with 3 postal receipt as per list praying for not taking steps on the ground related therein. Office directed to enquire whether acknowledgements cards return or not by 7-7-90. Plaintiff's today's petition to be kept with the record	7-7-90	1 month		
7-7-90	Plaintiff files a hazira. Same the office report. For avoiding future complications plaintiff is directed to further issue summons upon defendants under registered post to 9-8-90	9-8-90	1 month		
9-8-90	Plaintiff files a hazira for acceptance the service. Summons is put up for hearing. Heard. Perused the petition. Considered. In	30-11-90	3 months		Adjourned for next hearing

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	view of the fact enumerated in the infant petition, inclined to allow the same. Fix 30-11-90 for expatiation				
30-11-90	Plaintiff files a hazira. Fix 28-3-91 for expatiation	28-3-91	4 months		Adjourned for next hearing
1-4-91	28-3-91 being closed for holiday on account of Mahavir Jayanti. Fix 30-7-91 for expatiation hearing	30-7-91	3 months		Adjourned for next hearing
30-7-91	Plaintiff files a hazira. Defendant takes no steps and found absent on calls. It is 3:00 pm. The suit is taken for expatiation hearing. On prayer of plaintiff the suit adjourned to 10-9-1991	10-9-1991	2 months		One or both parties absent
10-9-91	Plaintiff files a petition praying for adjournment of hearing on the ground related therein. Prayer is considered and fixed 29-1-92 for further expatiation hearing.	29-1-92	4 months		Adjourned because of plaintiff
29-1-92	Plaintiff files a petition praying for adjournment of hearing on the ground related therein. Prayer is considered and fixed 20-5-92 for further expatiation hearing.	20-5-92	4 months		Adjourned because of plaintiff
20-5-92	Plaintiff files a petition praying for adjournment of hearing on the ground related therein. Prayer is considered and fixed 8-9-92 for further expatiation hearing.	8-9-92	4 months		Adjourned on the petition of plaintiff
8-9-92	Plaintiff takes no steps and found absent on calls. It is 3:00 pm and plaintiff to show cause by 10-12-92 as to why suit shall not be dismissed.	10-12-92	3 months		One or more parties absent
14-12-92	10 th being closed on account of curfew, is put up today for order. Fix 24-3-93 for show cause notice to plaintiff	24-3-93	3 months		Court Closed because of holiday
24-3-93	Plaintiff files a petition showing causes and prays to condone. Perused the petition. Fix 6-7-93 for exposition hearing.	6-7-93	4 months		Adjourned for hearing
4-6-93	Defendant no 2 appears with a vakalatnama and files a petition praying for directing to serve the copy or copy served to the one Binod Shaw file. Copy is served and fix 6-7-93 for order	6-7-93	1 month		Adjourned for next hearing
16-6-93	Defendant files put up petition along with a petition supported by a affidavit praying for appointment of a receiver on the ground related to the copy served and objected to put upon 6-7-93 for order	6-7-93	1 month		Adjourned for next hearing

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6-7-93	Both parties files hazira. PO is transferred. PO in charge is engaged with the files. File 1-9-93 for hearing.	1-9-93	2 months		Absence of Presiding Officer
26-7-93	After above order passed, plaintiff objected against the petition				
6-8-93	The record is put up by a petition which is considered and allowed. Defendant no 2 files a petition praying for shifting back the date from 10-9-93 on the ground related therein. Copy served and strongly objected to. Prayer is allowed and considered. Fix 17-8-93 for hearing	17-8-93	1 month		Adjourned on the petition of defendant
17-8-93	Both parties files haziras and are ready. Defendant no 2's petition is put up for hearing. Perused the petition and put up 19-8-93 for order	19-8-93	2 days		
19-8-93	<p>Record is put up today for order relating the petition files by defendant no 2. The petition states about some allegations and also alleges of not getting share form the rental income and submits that the receiver should be appointed to realise the taxes and rents from the tenants. The instant petition has been objected by the plaintiff no1 denying the material allegations contending inter alias that the income of the suit property is much higher than what has been stated in the petition and next allegation is that the defendant enjoyed the entire income of the suit property. This is one of the reasons for filling the instant suit for partition and in such circumstances she prays for the dismissal of the petition.</p> <p>Heard advocates of both the sides. Perused the contentions. Of the petition filed by both the parties. The primary thing which has been looked in to before a receiver to see how best the suit property could be preserved without being wasted. The established principle in law as evident which should be given due consideration before appointment of a receiver is that the petitioner must show that some immediate action is needed.</p> <p>In the instant case it appears that protection of the suit property is necessary and it is also desirable that realisation of</p>				

	<p>rent and payment of taxes are also necessary for preservation of the suit property and it is the specific case of the plaintiffs that both the parties are coshares of the suit property and in such circumstances it seems necessary to pass an order regarding appointment of one receiver only for the limited purpose of realization of rent and for payment of the taxes for the suit property.</p> <p>Order – that the application is allowed on contest with no order as to cost. Let Shri Mohan Sau(Defendant no 2) be appointed as receiver in respect of the suit property who will realise the rent from the tenants and pay taxes and will submit a report thereof quarterly in court regarding income and expenditure of the property. As the receiver himself is the petitioner no order for remuneration is passed.</p>				
1-9-93	Plaintiff files a hazira. Defendant no 2 also files a hazira and are ready. Defendant no 2 petition dated 4-6-93 for vacating the order or expatiate is put up for hearing. Perused the petition. Considered. Prayer for vacating the exparte hearing is allowed. Defendant no 2 to file by 8-10-93	8-10-93	1 month		Adjourned for next hearing
8-10-93	Prayer to 7-12-93 for further hearing	7-12-93	2 months		Adjourned on the petition of plaintiff
7-12-93	Considered the prayer to be allowed to 18-1-94	18-1-94	1 month		Adjourned on the petition of plaintiff
18-1-94	Defendant no 1 file two petitions – First praying for stay of operations or the order or appointment receiver. Second partition supported by affidavit for vacating order for appointment receiver. Copies are served and objected. Fix 23-3-93 for hearing the petition	23-3-94	2 months		Adjourned on the petition of defendant
28-2-94	Both parties file hazira. Defendant no 2 file objection against defendant no 1 petition dated 18-1-94. Copy served. PO is engaged for writing judgement. The suit adjourned to 25-5-94 for hearing.	25-5-94	3 months		Adjourned for next hearing
23-3-94	Parties file hazira. Due to cease work as per result of the local bar, adjourned to 17-6-94 along with objection dated 28-2-94	17-6-94	3 months		Closure of court
25-5-94	Plaintiff and defendant no 2 filed separate haziras. Advocates are present. No one				

	<p>appears for defendant no 1 even on repeated calls between 2:10 – 2:18 pm. The day is fixed for hearing. To applications both files on behalf of defendant no 1. Code praying for recalling the order of appointment of receiver in this suit and another ending hearing of the application. Advocate appearing for plaintiff and the order for the appointment of the receiver was passed on 19-8-93 for collection of rent from the tenants and to submit a quarterly report before the courts. No summon was served on defendant no 1 which too is not provided to the satisfaction of the court by anyone pursuing on behalf defendant no1 Accordingly application of defendant no1 stands rejected dated 18-1-94. After the above order is passed a petition is files for praying of adjournment which his rejected. The application for stay have been rejected fix 17-6-94 for hearing petition.</p>				
30-5-94	Both parties file haziras and are ready. Defendant no 1 show because petition dated 28-02-94 is put up for hearing. Perused the petition. Considered and rejected as defendant file no written statement. Suit will be expatiated against defendant no1				
17-6-94	Both parties file hazira. Defendant also files petition praying for adjournment of hearing on the grounds stated within. Copy not submitted. Prayer is considered and allowed.				
22-06-94	21 – 06 being holiday, the record is put up today, Defendant no 1 files verified petition and one is a show cause petition on the grounds stated therein. Copy served and objected to another in a written statement. Fix 27-9-94 for further hearing	27-9-94	3 months		Adjourned for next hearing
27-9-94	Parties file hazira and are ready. Defendant no 1 first showcase is taken up for hearing. Considered. Shows written statement and order to hiring against defendant no 1 and verified. Adjourned to 15-2-95 for further hiring	15-2-95	5 months		Adjourned for next hearing
3-1-95	Parties file hazira. Due to cease work and local bar adjourned to 18-4-95	18-4-95	3 months		Closure of court

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7-2-95	Receiver Mohan Ch shows file his interim report. Let it be kept with the record.				
15-2-95	Parties file haziras. Defendant no 3 files a death report along with Xerox copy of death certificate. Plaintiff is directed to take upon legal hearing of the deceased defendant no 3. Date fixed 18-4-95	18-4-95	2 months		Adjourned for next hearing
18-4-95	Both parties file haziras. PO transferred. PO in charge engaged with his own file. Suit adjourned to 25-7-95	25-7-95	3 months		Transfer of PO
25-7-95	Plaintiff files hazira. Defendant no 2 files hazira. Defendant no 1 files petition along with power of attorney for adjournment on grounds stated therein. Prayer considered. Adjourned to 14-11-95	14-11-95	4 months		Adjourned based on the petition of defendant
14-11-95	Both parties file hazira. Defendant absent on repeated calls. Defendant no 1 petition for recall and vacate the order of appointment of receiver dated 18-1-94 and plaintiff petition dated 14-3-95 for expunging the name of defendant no 3 and put up for hearing. Perused the plaintiff petition dated 14-3-95 Considered. And deceased defendant no 3 already on record and entry to that effect be made on record suit. Processed. It is found that issues are not framed. Adjourned to 7-12-95 for framing of issues	7-12-95	1 month		One or more parties absent
7-12-95	PO transferred. Change in duty with his his own file. No time today Adjourned to 18-1-96	18-1-96	1 month		Transfer of PO
18-1-96	Parties file hazira. Today fixed for framing of issues. Record proceedings. Issues were framed in the presence of the parties. Both parties are directed to make discover of mouth . Pay by 11-3-96. Fix 4-4-96 for next	4-4-96	3 months		Adjourned for next hearing
4-4-96	Plaintiffs file hazira. Defendant no2 files a petition praying for adjournment on the grounds stated therein. Copies served as no objection noticed Considered the prayer. Fix 11-6-96	11-6-96	2 months		Adjourned for next hearing
11-6-96	Both parties file hazira and are ready. Defendant no 2 petition permission to sue against Chandra Shekhar with affidavit is put up. Lawyer present on both sides. Perused the petition. Considered. N consult of both parties the petition is allowed. Defendant no 2 is permitted for initiating appropriate proceeding for	29-8-96	2 months		Adjourned for next hearing

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	eviction of the tenant named Chandra as per petition.				
29-8-96	Plaintiff and defendant no2 files hazira. Defendant no 1 files petition praying for adjournment of date. Praying is allowed and considered. Adjured to 27-9-96	12-12-96	4 months		Multiple adjournments dated 27-9-96, 26-11-96, 12-12-96 on grounds stated therein. Petition by defendant
15-1-97	Both parties file hazira. Subsequently parties file a petition praying for passing decree of petition based on their compromised petition. On the grounds stated therein. It appears from order no 38 dated 22-2-96 Suit will be heard against defendant 4 and 5 in the circumstances the petition for compromise not being considered. So fix hearing 18-2-97 for hearing the compromise petition in present of both parties.	18-2-97	1 month		Adjourned for next hearing
18-2-97	Both parties file haziras. Plaintiff is present. Defendant is absent on repeated call till 2:50 pm. Defendant to show cause by 14-3-97 as to why the compromise petition shall not be rejected.	14-3-97	1 month		One or more parties absent
14-3-97	Plaintiff files hazira. Defendant 1,2, 4 files separate petition showing cause and prays to condemn. Perused the petition. Causes shown be accepted and considered. On verbal prayer of the parties' compromise petition dated 15-1-97 for passing final decree on the parts of the petition is put up for hearing. Advocates on both sides. Perused the petition and considered the same. Terms of the compromise are lawful and hence accepted. Hence ordered that the suit be and the same is hereby disposed finally on the basis of compromised petitioned dated 15-1-97 and treating the compromised petition along with as a part of final decree.				

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	20	53
2	Presiding officer busy	3	6
3	Presiding officer on transfer order		

3	Presiding officer on leave		
4	Request by defendant	4	11
5	Request by plaintiff	5	15
6	Both parties absent	1	2
7	Defendant absent		
8	Plaintiff absent		
9	Awaiting order/instructions from High Court		
10	Scheduling error/holiday declared/strike	3	2
11	Adjourned for passing judgement	2	6

Case No. 33

Sl. No.		
1.	Nature or type of suit	T.S 10 of 1992
2.	Filed on	17.2.92
3.	Filed in which court	District court Alipore
4.	When it was initiated	17.3.92
5.	When was the act of judgement	11.4.1999
6.	How much time	7
7.	What was the result	Decreed on contest
8.	Filed by	Plaintiff – United bank of India Defendant – Goutam kumar Bakshi & Biswanath Bakshi

Suit No. 10 of 1992

Plaintiff – United bank of India

Defendant – Goutam kumar Bakshi & Biswanath Bakshi

The Plaintiff has come up with this petition for drawing up final degree and for sell of the mortgage property. Considered the petition and materials on record, it transpires from the record that the suit was decreed on contest in preliminary form with a direction to make payment of the detrital amount by 10 instalments. It is alleged by the plaintiff that the defendant did not make the payment of the said decreetal amount as per direction from court. As such plaintiff has come with this petition. Since defendant did not make the payment of the dues in terms of the order passed in the suit, it is required for drawing of final degree and in that even I am inclined to allow the petition. Hence it was **ordered** that the preliminary degree passed on 11.4.94 in this suit be made absolute. That the mortgaged and charged property in the aforesaid preliminary degree or a part of thereof be sold and for the purpose of such sell the plaintiff shall produce before this court within 15 days from this order all documents in its possession relating to the mortgaged and charged properties. It is further declared that the money realised by such sell shall be deposited in court (after deduction) the expenses of the sell and the same shall be applied for the payment of the decreetal amount and upon the payment of interest of the plaintiff in terms of preliminary degree. It is further

ordered that after such payment to the plaintiff of any amount is found in excess and lies in depositing with the court, the said amount would be returned to the defendant.

Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing (approx. in months)	Adjournment period required by law	Remarks
17 th Feb 1992	Plaintiff files registered. On the application of the plaintiff, put up on 17.3.92 for filing deficit count for defendant of the petition	March 1992	1 month		
17 th march 1992	Plaintiff file deficit count for of Rs 3183, along with equities. Issues summons to the defendants to count for required post with old simultaneously fixing 12s/92 for escalating context. Dismissed	May 1992	2 months	-	
12 th may 1992	Hajira and 2 postal received was filed by advocate for plaintiff. Postal DD card for defendant 1 and 2 returned by acknowledged but defendant didn't turn up. No steps taken today. 13/7/92 for hearing of the suit exparty.	13/7/92	2 months	-	
13 th July 1992	Plaintiff file Hajira. Defendant 1-2 turned up today with a vakalatnama	28/7/1992		-	
28 th July 1992	Hajira has been filed from both sides by lawyer, a petition has been filed from defendant praying for time for filing WS on the ground stated therein. Persued petition considered and allowed as a last chance to 1/9/92 for payment of cost and WS by defendant 1&2. The order of hearing expertis will be stayed after payment of cost as awarded earlier.	1/9/92	2 months	-	
1 st September 1992	Hajira has been filed from both sides through its lawyer. A suit has been filed from showing payment of rs 15, let it be kept with the record. In view of order number 4 dated 13.7.92 , the	8 th April 1993	5 months	-	

	hearing the suit of exparte is now vacated. A petition has been filed from his side paying for the fine and WS.				
8 th april 1993	Both parties are ready through their respective lawyers. Heard negotiations. Accordingly the suit is taken up for hearing. Received issues are adjourned this day on consideration of the pleadings of the parties in a separate sheet kept with the record.	11/5/1993	2 months	-	
11 th May 1993	A petition has been filed from both sides. Praying is considered on the grounds stated there in. Adjourned to 11-6-1993	11-6-1993	3 months		
11 th June 1993	Petition has been filed from both sides. Praying and oath taken as considered and allowed to 12-7-93	12-7-93	1 month		
12 th July 1993	Plaintiff swears on the affidavit, r/a 11r/13. Let it be kept with the records. To 13-8-1993	13-8-1993	1 month		
13 th August 1993	Petition has been filed from both sides praying on adjournment of hearing on the grounds stated there in. No disjunction has been noted. Prayer is considered to 13/9/1993, both parties are directed to be ready on the date fixed.	13-9-1993			
13 th September 1993	Hajiras has been filed. A petition has been filed from both sides, praying for adjournment on the grounds stated therein.	5-10-1993	1 month		
5 th October 1993	Hajiras have been filed from both sides of the contested parties through their respective lawyers. A list of documents have been filed. The suit is taken up for hearing. Bhushan Bhattacharya is expert in part today as PWI. At this stage a petition has been filed from his side on adjournment of date on ground stated there in. the prayer considered and allowed to 12-10-1993	12-10-1993			

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12 th October 1993	Two separate hajiras has been filed from the sides, the suit is taken up for hearing. PWI is further expedited some documents are marked as exparte 12, 13 and 14. After this stage a petition has been filed praying an adjournment hearing on grounds stated therein. Adjourned to 17-11-1993	17-11-1993	1 month		
17 th November 1993	An application has been filed from plaintiff praying for the examination of P.W.I on the ground as stated within. Another petition has been filed praying for adjournment and hearing copy served as no rejection has been noted. The prayer is considered and allowed to 3-12-1993. A list of documents has been filed from the side of plaintiff to be kept with the record.	3-12-1993	1 month		
3 rd December 1993	Two separate hajiras has been filed from both parties through their lawyers. Petition dated 17-11-1993 prayer for the examination of the P.W.I is put up today. The prayer is considered and allowed. Recalled PWI as prayed for. PWI is expiated on the call. Some documents are marked as exported 15,16,17. At this stage a petition has been filed from the side of the defendant praying for the adjournment of hearing, which is considered and allowed.				Multiple adjournments (10) granted on praying – 14-12-1993, 4-1-1994, 27-1-1994, 21-2-1994, 8-3-1994, 22-3-1994, and last chance for 5-4-1994, again on medical grounds to 11-4-1994
11 th April 1994	The record is put up and declined and judgment. ON scrutiny, find that the memo of the deceased and guarantee was marked as ext no 9. No ext marks were given informing the deceased and guarantee over signed. Let the deceased and guarantee of the memo be marked as ext no 9. The plaintiff and the defendant have not taken any steps today. Judgement as per the planned is				Order given

	delivered and pronounced in the open court. It is unlie that the suit be znc is deceased on contract in preliminary hearing. The petition 2 get a decree of rs 1,93,377.20 together with the interest at the rate 2.5% whichever would be collated by the bank. The defendant is directed to pay the entire amount of decree in 10 monthly instalments and interest at rs 20,000 per month till the entire amount with interest is paid off. The first instalment should be made on or before 3-5-1994 and thereafter on 3 rd of each succeeding month. It is to be declared that the goods and movable assets of defendant no 1 and the truck will remain charge of the repayment of the decree. Similarly the portion of the house property standing in the share of defendant no2 will remain charged of the decree till the entire amount is paid off.				
14 th June 1994	Decree passed sealed and signed this day				
25 th march 1997	Plaintiff files a verified petition w/o 34 R 5 read with section 151 of the CPC. Praying FOR PASSING A FINAL DECREE towards sale of the securities referred to within the decretal dues, Requisites not put in to 19/4/97 for filing requisites the plaintiff.	April 1997	1 month	-	
19 th April 1997	Requisites put In, issue notice through court as well as registered for S/R	June 1997	2 months	-	
6 th June 1997	Defendants APPEAR BY FILING power attorney, files a petition praying for time for filings WS on the ground as stated therein. Prayer is considered and allowed to 14/7/97 for filings written statements by defendants.	July 1997	1 month	-	
14 th July 1997	Plaintiff FILES HAJIRA. Defendant files a petition praying time for filings written objections on the	Multiple dates – 8 hearings for		-	Multiple hearings (8) only for grating

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	ground as stated there in, prayers is considered and granted to file WS	similar reason			permissions to file WS
2 nd December 1998	Plaintiff files hajira, defendant takes no steps. Defendant is directed to file compromise petition by 15-1-99	January 1999	1 month	-	
15 th January 1999	Defendant takes no steps, redirected to take compromise petition by 16/3/1999 and then 19/4/1999			-	ORDER given
Order given on 11th april 1999	It was ordered that the preliminary degree passed on 11.4.94 in this suit be made absolute. That the mortgaged and charged property in the aforesaid preliminary degree or a part of thereof be sold and for the purpose of such sell the plaintiff shall produce before this court within 15 days from this order all documents in its possession relating to the mortgaged and charged properties. It is further declared that the money realised by such sell shall be deposited in court (after deduction) the expenses of the sell and the same shall be applied for the payment of the decretal amount and upon the payment of interest of the plaintiff in terms of preliminary degree. It is further ordered that after such payment to the plaintiff of any amount is found in excess and lies in depositing with the court, the said amount would be returned to the defendant.			-	

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	11	27
2	Presiding officer busy	1	2
3	Presiding officer on transfer order		
3	Presiding officer on leave		
4	Request by defendant	3	8
5	Request by plaintiff	7	12

6	Both parties absent	1	2
7	Defendant absent		
8	Plaintiff absent	2	4
9	Awaiting order/instructions from High Court		
10	Scheduling error/holiday declared/strike	1	1
11	Adjourned for passing judgement		

Case No. 34

Sl. No.		
1.	Nature or type of suit	T.S 56 of 1986
2.	Filed on	June 1986
3.	Filed in which court	District court Alipore
4.	When it was initiated	August 1986
5.	When was the act of judgement	8 th july 1992
6.	How much time	6
7.	What was the result	Decreed on default
8.	Filed by	Plaintiff – Sri Debasish Bose Defendant – Sri Krishnasish Bose, Smt. Kamala Bala Debi, Sri Ajit kumar Das, Sm Arati Tribedi

Suit No. 56 of 1986

Suit No. 56 of 1986 is a civil suit filed by the joint owner of a property against other owners for partitioning the suit property ascertaining his share or sale of the suit property in his favour if property cannot be partitioned by metes and bounds. The suit was filed by Sri Debasish Bose who is legally entitled to 1/5th of the property share against the other legal heirs – Sri Krishnasish Bose, Sm Kamala Bala Debi, Sri Ajit kumar Das, Sm Arati Tribedi on 14 June 1986. The parties herein are not able to enjoy the respective shares equally nor they are getting shares of the rent and profits of the joint property according to their own share. Thus the plaintiff filed the suit for partitioning the property by metes and bounds, and if it fails then for a final decree selling the property as per Commissioner's report. The value of the suit was mentioned at INR 16000. This value which the petitioner claims is very important as it determines the pecuniary jurisdiction of the court.

Land Details – land measuring 10 Chittaks 32 square feet along with 3 storeyed building on the ground floor, 1 room attached covered verandah, bath and privy, and one room on the mezzanine floor room, 2 rooms bath and privy, covered verandha on the first floor, one room and open terrace on 2nd floor being butted and bounded by house of Santosh Kumar on North, Passage on west, House of Kalyan on South and East.

This suit which we are studying in greater detail is one which is generally long drawn out due to its being an eviction suit. A decision in favour of partition of the land will render the subdivisions useless for being small in size, and selling of property to unknown people will incorporate disputes. As mentioned above, we shall outline the proceedings of this suit in the

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Appendix. We shall also summarise the duration & number of adjournments and classify them with respect to the causes for adjournment.

Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing (approx. in months)	Adjournment period required by law	Remarks
June 1986	Suit filed. Summons issued to defendant. Hearing adjourned to December 1986	December 1986	2 months	Adjourned so that summons can be issued to defendant and time allowed to file response	
August 1986	Plaintiff file Hajira. Defendant 1-4 appear for vakalat nama along with a petition prayer for time to file written statement(W.S). Time is given till 4.9.86 for filing WS. To date waiting for return of summons of defendant 5-8	September 1986	1 month	-	
September 1986	Plaintiff file Hajira. Defendant 1-4 appear for vakalat nama along with a petition prayer for time to file written statement(W.S). Time is given till 30.9.86 for filing WS. To date waiting for return of summons of defendant 5-8	September 1986	25 days	-	Defendant requests for time to file written statement
September 1986	Plaintiff file Hajira. Defendant 1-4 appear for vakalat nama along with a petition prayer for time to file written statement(W.S). Time is given till 25.11.86 for filing WS. To date waiting for return of summons of defendant 5-8	November 1986	2 months	-	Defendant requests for time to file written statement
November 1986	Plaintiff file Hajira. Defendant 1-4 appear for vakalat nama along with a petition prayer for time to file written statement(W.S). Time is given till 18.12.86 of Rs.6/- for filing WS. To date waiting for return of summons of defendant 5-8	December 1986	1 month	-	
12 th December 1986	Plaintiff files Hajira. Defendant No 1 files written statement WS, cost not paid, time given till 8.1.87 to pay the cost. Defendant No 2-4 file a petition praying for time to pay costs. Prayer is	January 1987	1 Month	-	Defendant requests for time to make payment

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	approved adjourning court @Rs. 8/-, no cost to plaintiff					
8 th January 1987	Defendant is directed to payment of balance cost by 25.2.87	February 1987	1 month	-		
25 th February 1987	Cost paid by defendant 5-9 for receipt, WS filed by defendant 1-6 be accepted. Adjourned to framing of issue 16.3.1987	March 1987	1 month	-		
16 th March 1987	Parties file Hajira, to 1.6.1987 for framing of issue	July 1987	4 months	-		
21 st July 1987	Adjourned to 2.9.87 for framing of issues	September 1987	2 months	-	Adjourned for farming of issues	
2 nd September 1987	Adjourned to 1.12.1987 for framing of issues	December 1987	3 months	-		
1 st December 1987	Adjourned to 22.1.88 for framing of issues	January 1988	2 months	-		
22 nd January 1987	Shri H.K Paul in charge was on a holiday. Record is put up in order. Adjourned to 9.3.1988 for framing of issue	March 1988	2 months	-		
9 th March 1988	Hajira filed on defendant 8. Issue framed. To 28.4.88 for discovery of documents and inspection	April 1988	1 month	-	Issue framed. Documents discovery and inspection started	
28 th April 1988	Shri H.K Paul argues on behalf of defendant. Affidavit and documents filed by Debashish Basu filed. Plaintiff is decided to file copy and affidavit upon the defendant by 24.6.88	June 1988	2 months	-	Affidavit and documents filed	
24 th June 1988	Hajira filed on behalf of defendant. No documents filed by Plaintiff. Plaintiff to show cause by 15.7.1988 why the suit should not be defined to defendant	July 1988	1 month	-		
15 th July 1988	15 th July was a holiday. Adjourned to 5.8.88 why the suit shall not be delivered to defendants	August 1988	-	-	Holiday	
5 th August 1988	Hajira filed on behalf of defendant. Plaintiff has been asked to file praying to show the cause of delay. Delay to be accepted to 26.8.88 servicing copy of an affidavit upon the defendant by plaintiff	August 2005	20 days	-		
26 th August 1988	Shri KP Dutta, Hajira filed on behalf of defendant for affidavit filed by plaintiff	September 1988	20 days	-		

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	as per under certificate of posting copy with the record				
10 th September 1988	Adjourned to 13.10.1988 for parties to be ready	October 1988	1 month	-	
13 th October 1988	One petition has been filed on behalf of the plaintiff praying the adjourn of peremptory hearing of the suit on the ground that the court guardian may be appointed in favour of the defendant No 7 and 8. One petition has been praying for appointment of court guardian of the minors, namely Safari Kumar Das AND Kumari Shampa Das to represent the minors of the above mentioned suit. With the decision upon the court guardian to like the legal slip of the minors according to as supported by the affidavit copy. Heard and considered on consent the praying for appointment of court guardian is allowed. The Plaintiff to deposit a sum of Rs 100 as tentative cost along with requisites by 14.10.88 where function under shall follow. The Suit be taken off the P.Board	October 1988	1 dAY	-	NeXT DAY
14 th October 1988	Petition has been filed on behalf of the plaintiff praying to allow deposit the cost of the court guardian in hand as stated in the petition. Hearing praying is considered and allowed. Sri Deb das appointed as court guardian. Receipt be filed.	November 1988	1 month	-	
17 th November 1988	Petition filed on behalf of the defendant No 1 stating that the advocate of the petition during cross examination of P.W1 put the following question which lawyer on your behalf drafted the deal of purchase and the witness answered. The petition be kept with the records	December 1988	1 month	-	
5 th December 1988	Petition filed on behalf of plaintiff. Court guardian has not yet submitted the report.	January 1989	1 month	-	No reports submitted yet
25 th January 1989	Rs.100 cost paid by plaintiff. Court guardian has not yet submitted the report.	February 1989	1 month	-	No reports submitted yet – more time given
21 st February 1989	Hajira filed on behalf of plaintiff. C.G filed a petition, decided to pay Rs 50 to	March 1989	1 month	-	

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	plaintiff, further notice after supplying. Praying allowed					
7 th March 1989	Plaintiff files a petition praying for time for depositing the fee at the court guardian. Prayer is considered. Makes the payment on 28.3.89 and adjourned to 19.4.89	April 1989	1 month	-		
19 th April 1989	C.G files a petition praying for a direction upon him to go to the locale for enquiring upon the plaintiff to pay Rs100, copy not submitted.	May 1989	1 months	-	Adjourned for order in presence of lawyer	
22 nd May 1989	Both parties file Hajira. PO – IN charge is engaged with his own file.	June 1989	1 month	-		
27 th June 1989	Plaintiff files Hajira,. No time today as PO-in charge engaged with others	July 1989	1 month	-	No time, as PO engaged somewhere else	
24 th July 1989	Plaintiff files Hajira. Defendant takes no steps. Heard the lawyer for plaintiff. Adjourned to 16/8/1989 for having petition in presence of both sides and court guardian	October 1989	3 months	-	Both parties not present	
16 th August 1989	Hajira filed on behalf of defendant. Plaintiff files a petition to adjourn	September 1989	1 month	-		
15 th September 1989	Both parties file Hajira. C.G takes no steps. Gives last chance for presence of both sides and court guardian.	November 1989	2 months	-	Last warning for presence	
17 th November 1989	Parties file Hajira. As per resolution to the bar association for full court, last chance given	December 1989	1 month	-		
12 th December 1989	Both parties file Hajira. PO IN charge busy with his own file. Gives last chance for presence of both sides and court guardian.	January 1990	1 month	-		
17 th January 1990	Both parties file Hajira. PO on leave. Gives last chance for presence of both sides and court guardian.	February 1990	-	-		
19 th February 1990	Both parties file Hajira. PO IN charge busy with his own file. Gives last chance for presence of both sides and court guardian.	March 1990	1 month	-		
21 st March 1990	Both parties file Hajira. PO IN charge busy with his own file. Gives last chance for presence of both sides and court guardian.	April 1990	1 month	-		
25 th April 1990	Both parties file Hajira. PO IN charge busy with his own file. Gives last chance for presence of both sides and court guardian.	May 1990	1 month	-	Still filing Hajiras	

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25 th May 1990	Both parties file Hajira. PO IN charge busy with his own file. Gives last chance for presence of both sides and court guardian.	November 1990	6 months	-	
15th November 1990	Plaintiff and defendant Files Hajira. Plaintiff files a petition praying for time to take steps on ground stated there in. Praying is considered and plaintiff is directed to take steps upon the legal heirs at defendant No 2 by 10/1/91	January 1991	2 months	-	Call for action
10 th January 1991	Hjiara filed on behalf of defendant. Petition filed on behalf of plaintiff with a prayer for time to take steps. Same thing continued for multiple hearings till 11 th July 1991	-	-	-	10 hearings in middle wherein just request for prayer is been raised and granted
11 th July 1991	Defendant files Hajira. Plaintiff FILES NO HAJIRA and turns no steps. Paintiff is directed to show earning by 23/8/91 as to why the suit shall not be dismissed for non-prosecution	August 1991	2 months	-	
23 rd august 1991	Defendant files hajira, plaintiff files a verified petition along with a fresh vakalatnama showing cause for condonation at laclus. Pursued the petition cause shown in sufficient , thus condoned till 25/9/91 for taking further steps.	-	-	-	No further steps taken till 8 th July 1992
8 th July 1992	Defendant files Hajira. Plaintiff takes no steps, P.O being incharge as registration is any much with administration worth records at justice. Plaintiff is further directed to show the same by 28/8/92, so as to why the suit shall not be dismissed.	August 1992	2 months	-	
28 th august 1992	Defendant files hajira along with a fresh vakalatnama. Plaintiff turns no steos for siliving show case, CF is paid correct. Case dismissed for default.	-	-	-	

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	24	53
2	Presiding officer busy	2	2
3	Presiding officer on transfer order		
3	Presiding officer on leave	2	3
4	Request by defendant	3	8

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5	Request by plaintiff		
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		
9	Awaiting order/instructions from High Court	-	
10	Scheduling error/holiday declared/strike	3	6
11	Adjourned for passing judgement		

Case No. 35

Sr No.		
1.	Nature or type of suit	T.A CASE NO. 222 of 1980 (GRN 7.R.71/98, ER 1772) CLASS I
2.	Filed on	3.3.80
3.	Filed in which court	District court Alipore
4.	When it was initiated	9.4.80
5.	When was the act of judgement	4.2.83
6	How much time	4
7.	What was the result	Dismissed on contest
8.	Filed by	PLAINTIFF- OF WEST BENGAL DEFENDANT- GOLAPGAN BIBI others

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T.A CASE NO. 222 of 1980 (GRN 7.R.71/98, ER 1772) CLASS I

PLAINTIFF – GOVT. OF WEST BENGAL

DEFENDANT- GOLAPGAN BIBI others

DATE OF DECISION OF APPELLATE COURT- 4/2/1983

Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing	Adjournment period required by law	Remarks
03.03.80	The appellant is to show cause by 09.04.80 why the appeal shall not be summarily dismissed	09.04.80	1 month		Case registered after the expiry of the period of limitation prescribed by clause(b) of Art. 116 of the Limitation Act, but without any application for condonation of delay as prescribed by order 41 Rule 3A(1) of the Code of Civil Procedure.
09.04.80	appellant to take steps as to Limitation matter by 02.05.80.	02.05.80	1 month		appellant files a petition showing sufficient cause
02.05.80	appellant to take step by 26.05.80.	26.05.80	24 days		appellant files petition; praying for condonation of delay in filing appeal under section 5 of the limitation act; respondent to show cause within 7days from service
26.05.80	Adjourned to 30.05.80	30.05.80	4 days		appellant files petition; praying for dispensing with service of notices upon respondent 9 to 19 on the ground stated therein
30.05.80	service of notices of the appeal to respondents 9 to 19 be dispensed with as prayed for. appellant to take steps by 23.6.80	23.06.80	1 month		found that said respondents did neither enter appearances nor filed their regd.
23.06.80	appellant files requisition issue within enquiring up the defendant 1-8 to show cause within 7 days as to why it should not be amended to 23.7.80 for duly awaiting receipt of notice.	23.07.80	1 month		
23.07.80	Adjourned to 25.08.80	25.08.80	1 month		notice not received
25.08.80	Appellant to take steps by 19.9.80 for better service.	19.09.80	1 month		respondent nos. 1 & 2 appear this day by filing power and also files a petition praying for time for filing objection. Respondents to file objection by the date fixed. notice upon respondents 3 to 8 received but not duly served. Respondents 1 & 2 files objection against appellant petition under section 5 of the limitation act copy served

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19.09.80	Adjourned to 12.11.80	12.11.80	2 months		appellant files a petition praying for issuing notice upon 3 to 8 registered post considered appellant to put in requisition
12.11.80	Adjourned to 10.12.80.	10.12.80	1 month		requisition puts in issue notice upon the respondent 3 to 8 by registered post
10.12.80	postal received files A/D(acknowledge due) receipt and received to 14.1.81 for order awaiting receipt of the same.	14.01.81	1 month		
14.01.81	postal receipt already filed A/D receipt not yet received to 06.02.81 for A/D and order.	06.02.81	1 month		
06.02.81	A/D receipt not received to 7.4.81 for A/D and order	07.04.81	2 months		
07.04.81	registered notice returned without service with postal remarks "Left" appellant to take step by 29.4.81 for better service	29.04.81	3 weeks		
29.04.81	Adjourned to 15.05.81.	15.05.81	1 month		appellant files a petition praying for time for taking steps
15.05.81	Appellant to puts in requisition by 29.5.81	29.05.81	2 weeks		appellant files a petition supported by an affidavit praying for issuing notice upon respondents 3 to 8 in substituted considered
29.05.81	Adjourned to 16.06.81.	16.06.81	1 month		appellant files a petition praying for time.
16.06.81	Adjourned to 09.07.81.	09.07.81			appellant files a petition praying for time
09.07.81	Adjourned to 21.08.81	21.08.81	1 month		requisites puts in issue notice to show cause upon respondents 3 to 8
21.08.81	Adjourned to 21.09.81	21.09.81	1 month		notice not received after service
21.09.81	Adjourned to 24.11.81	24.11.81	2 months		notice not received after service
24.11.81	Adjourned to 14.12.81	14.12.81	1 month		notice received without service for want of boat hire
14.12.81	Issue fixing 03.02.82 for return and order	03.02.82	2 months		Boat hire Rs. 1.50 paid.
03.02.82	Adjourned 06.03.82	06.03.82	1 month		notice not received after service
06.03.82	Adjourned to 06.04.82 for hearing Limitation matter.	06.04.82	1 month		notice received after service.
06.04.82	Adjourned to 10.05.82 for hearing the limitation matter.	10.05.82	1 month		Ld. District Judge being on leave.
10.05.82	Adjourned to 11.06.82 for hearing the Limitation.	11.06.82	1 month		Ld. District Judge being on leave.
11.06.82	Adjourned to 08.07.82 for hearing the Limitation matter.	08.07.82	1 month		the court is otherwise busy today

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08.07.82	the petition stands rejected and the appeal summarily dismissed.	03.08.82	1 month		the petition u/s 5 of the Limitation Act is taken up for hearing. Heard learned advocates of both sides. As agreed upon between the Ld. Lawyers of the parties, it is ordered that the petition u/s 5 of the Limitation Act be allowed and the delay in presenting the memo of appeal be condoned on the appellant paying the respondent cost of Rs. 100/- within 3.8.82 and that in default thereof
03.08.82	Issue notice fixing 5.9.82 for return and order requisites within 3 days.	06.09.82	1 month		cost of Rs. 100/- is paid and receipt is filled in view of the foregoing order, the petition u/s 5 of the Limitation Act is allowed and the delay in presenting the memo of appeal is condoned. Admit the appeal. Call for the L.C.R.
06.09.82	Receipt received to 29.9.82 for general transfer.	30.09.82	1 month		5 th being Sunday the record is put up today for order. It appears from the record that the copy of memo of appeal is already served upon respondent as per firsty.
30.09.82	29 th being holiday the record is put up today for order.	14.10.82	2 weeks		
14.10.82	Adjourned to 06.12.82 for hearing of the appeal. Both parties to come ready on the date.	06.12.82	2 months		present Sri A.N Saha HOD 3 rd court, Alipore received by transfer from the Ld. District judge (D/J) for disposal by this court.
06.12.82	Adjourned to 12.01.83 for hearing.	12.01.83	1 month		the P.O is on leave.
12.01.83	Adjourned to 04.02.83 for hearing of the appeal.	04.02.83	1 month		appellant files a petition praying for adjournment
04.02.83	the appeal be dismissed as not pressed without any costs.	21.07.83	5 months		The Ld. Advocate for the appellant submits and endorses on the order stating that he would not press the appeal except on the question of costs. Mr. Bhattacharjee for the respondent submits that he would not press for cause.
21.07.83	Respondent files a petition praying for return back the documents as per firsty and the exhibited documents on the ground set forth in the petition. Prayer is allowed. Return the documents on an undertaking to refile the same as and when called for.				

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Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	28	51
2	Presiding officer busy	2	3
3	Presiding officer on transfer order		
3	Presiding officer on leave	5	5
4	Request by defendant	5	7
5	Request by plaintiff	6	8
6	Both parties absent		
7	Defendant absent	2	3
8	Plaintiff absent		-
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike		
11	Adjourned for passing judgement		

Case No. 36

Type and nature of Case : T.A 973 of 1985, Class 1

Filed on :28.11.85 Initiated on : 9.12.85 Case ran for : 6 years

Court: 4TH Addi. Dist judge court Alipore

Judgement given in: 20.8.91 & decreed on contest M.D Omar Ansari plaintiff

M.D Kalim (since deceased) defendant

Date of hearing	Action taken/Order given	Date of next hearing	Duration till next hearing (approx. in months)	Adjournment period required by law	Remarks
28.11.85	Appeal is filed within time. Requisite not filed. Appellant to take steps as to why the name has been included in the memo of appeal.	09.12.85	15 days		time allowed to file response
9.12.85	Appellant file petition for substituting him. Fix 24.1.86 for hearing the substitution petition.	24.01.86	1 month		
24.1.86	Adjourned to 17.3.86 for hearing the petition substitution.	17.03.86	2 months		
17.3.86	Appellant files hazira. The petition filed by the appellant on 9.12.85 found satisfactory and the prayer for substitution is allowed. Appellant to file a proper petition for appropriate correction of the memorandum of appeal by 18.4.86 for further order. Appellant also file a vokatnama.	27.05.86	2 months		The petition filed by the appellant on 9.12.85 stating that the plaintiff no. 1 died on after the passing of decree on 30.8.85 and praying for his substitution by his heirs named therein is put up and found satisfactory.
27.5.86	Appellant files hazira. The petition filed by the appellant in compliance	15.07.86	2 months		

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	with order no. 4 dated 17.3.86 is put up. The prayer for substitution of the respondent no 1 by his heirs as specified in the petition dated 9.12.85 and 26.4.86 is allowed. Amend the memo of appeal and the register in terms thereof. The two petitions be disposed of accordingly. The appeal is now in order. Admit the appeal. Issue notice fixing 15.7.86 for return and order call for the L.C.R.				
29.7.86	The record is put up today. Issue notice upon all the respondents through court and by registered post. Fixing 12.9.86 for return and A/D. p.receipts at once. Call for the L.C.R(lower court record).	12.09.86	2 months		Appellant files complete requisites.
12.9.86	All the respondents filed vokalatnama. Let it be kept with the record. Also file a petition. Fixing 20.11.86 for L.C.R and order	20.11.86	2 months		Prayer for time to file written objection is granted
20.11.86	Adjourned to 22.12.86.	22.12.86	1 month		LCR not received.
22.12.86	LCR received, the appeal is otherwise ready for hearing. Fixing 19.1.87 for general transfer of the appeal.	19.01.87	1 month		
14.02.87	Registered record disposed. Fixing 13.4.87 for hearing.	13.04.87	2 months		
13.4.87	Respondents files hazira. Adjourned to 01.07.87	01.07.87	3 months		Appellant files a petition praying for an adjournment of hearing.
02.07.87	The record is put up today for order. Fixing 18.8.87 for hearing.	18.08.87	1 months		1 st july 1987 being declared holiday.
18.8.87	Respondents files hazira. Adjourned to 11.11.87.	11.11.87	3 months		Appellant files a petition praying for an adjournment of hearing.
11.11.87	Adjourned to 22.12.87.	22.12.87	1 month		Appellant files a petition praying for an adjournment of hearing.
22.12.87	Adjourned to 10.02.88.	10.02.88	2 months		Appellant files a petition praying for an adjournment of hearing.
11.02.88	the record is put up today for order. Fixing 21.3.88 for hearing.	21.03.88	1 month		Due to absent of all the staffs in the office on 10.2.88
21.03.88	Adjourned to 04.05.88.	04.05.88	2 months		Appellant files a petition praying for an adjournment of hearing.
4.5.88	Appellant files a petition for amendment. Copy served. Fixing	13.06.88	1 month		

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	13.6.88 for hearing along with amendment petition dt. 4.5.88.				
13.6.88	Respondent files a petition. fixing 21.7.88 for hearing the appeal.	21.07.88	1 month		Respondent files a petition praying for passing order for amendment and for fixing date of hearing afterwards. Appellant files a petition for allowing repairing works reasons stated therein.
21.7.88	An application has been filed in behalf of the appellant praying for modified order dated 13.6.88. fixing 23.7.88 for hearing of amendment petition	23.07.88	2 days		
23.07.88	The application is disposed of dictated and corrected.	26.07.88	3 days		The application dated 13 th July 1988 is put up. By consent of parties, it is ordered that both the appellant as well as respondent are permitted to repair R.T roof of their respective houses without prejudice to their rights and contention.
26.07.88	Adjourned to 05.09.88 .	05.09.88	1 month		Appellant files a petition praying for an adjournment of hearing. prayer is allowed.
05.09.88	Adjourned to 29.09.88.	29.09.88	1 month		Appellant files a petition praying for an adjournment of hearing. prayer is allowed.
29.09.88	Adjourned to 05.12.88.	05.12.88	2 months		Both parties prayed for time. The prayer is allowed.
05.12.88	Adjourned to 24.01.88.	24.01.88	2 months		Both parties prayed for time. The prayer is allowed.
24.01.88	Adjourned to 24.02.88 for taking steps by their appellant	24.02.88	1 month		Respondent file death of Md. Ali.
24.02.88	Adjourned to 04.04.89.	04.04.89	1 year 1 month		Appellant files a petition praying for order and substitution.
04.04.89	Adjourned to 11.05.89.	11.05.89	1 month		Appellant prays for time
11.05.89	appellant is directed to serve the same by 12.6.89.	12.06.89	1 year 1 month		Appellant takes no steps. Respondent files hazira. Ld. Lawyer appeared on behalf of the respondent submits the copy of the substitution petition.
12.06.89	Fixing 13.07.89 for supply of copy of the substitution petition dated 24.2.89	13.07.89	1 month		copy of the substitution petition not yet given to the respondent. Respondent files a petition requesting the appellant for supplying the

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					copy. petition is not moved. The judge was busy today.
13.07.89	substitution petition is allowed. Appellant to take steps by 11.08.89.	11.08.89	1 month		Lawyer of the respondent appeared. He submits, if the substitution petition be allowed he will not raise any adjunction.
11.08.89	Adjourned to 14.09.89	14.09.89	1 month		appellant prays for time to take steps on the ground stated therein. Time allowed.
14.09.89	Adjourned to 13.12.89	13.12.89	3 months		Respondent Md. Azgar and Ramjan bibi entered appearance with fresh vokalatnama.
13.12.89	Adjourned to 20.02.90	20.02.90	2 months		Judge is on leave today.
20.02.90	Adjourned to 10.04.90	10.04.90	2 months		Appellant prays for time.
10.04.90	Adjourned to 14.06.90	14.06.90	2 months		judge is busy today, no time today
14.06.90	Adjourned to 06.07.90	06.07.90	1 month		Appellant prays for time.
06.07.90	Adjourned to 28.08.90	28.08.90	1 month		Appellant prays for time.
28.08.90	Adjourned to 29.10.90	29.10.90	2 months		Appellant prays for time.
29.10.90	Adjourned to 07.12.90	07.12.90	2 months		Appellant prays for time.
07.12.90	Adjourned to 11.01.91	11.01.91	1 month		Appellant prays for time.
11.01.91	Adjourned to 25.02.91	25.02.91	1 months		Appellant prays for time.
25.02.91	Adjourned to 13.03.91	13.03.91	1 month		Judge is on leave today.
13.03.91	Adjourned to 30.04.91	30.04.91	1 month		Judge is busy today.
30.04.91	Adjourned to 18.06.91	18.06.91	2 months		neither of the parties appear for hearing
18.06.91	Adjourned to 24.06.91	24.06.91	1 week		Appellant prays for time.
24.06.91	Adjourned to 24.07.91	24.07.91	1 month		Judge is busy today.
24.07.91	Adjourned to 06.08.91	06.08.91	2 weeks		Appellant prays for time.
06.08.91	Adjourned to 12.08.91	12.08.91	1 week		Both side file haziras. The case is taken up for further hearing. At this stage the application has been filed in behalf of the appellant praying for time. The prayer for time is considered.
12.08.91	Fixing 20.8.91 for delivery of judgment	20.08.91	1 week		Both sides file haziras. The appeal is taken up for further hearing. Heard from the Ld. Advocate from both sides is full.
20.08.91	Judgment delivered in the open court. The appeal be and the same is allowed on contest without cost and the case sent back on remand. Judgment kept in separate sheets.				

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23.09.91	Decree prepared, sealed and signed this day.				
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Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	50	86
2	Presiding officer busy	4	8
3	Presiding officer on transfer order	2	2
3	Presiding officer on leave	7	8
4	Request by defendant		
5	Request by plaintiff	5	9
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent	2	5
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	5	5
11	Adjourned for passing judgement		

Case No. 37

- 1) Manna Ram Kahar,
S/o Late Batauri Ram Kahar,
of J-201, Paharpur Road, P.S Garden Reach, Calcutta - 700024
 - 2) Joy Raj Singh
S/o late Sanichar Singh of J-201, Paharpur Road, P.S Garden Reach, Calcutta - 700024
 - 3) Raju Singh
S/o late Sanichar Singh of J-201, Paharpur Road, P.S Garden Reach, Calcutta - 700024
 - 4) Rekha Singh
W/o Buro Singh
of J-201, Paharpur Road, P.S Garden Reach, Calcutta - 700024
 - 5) Champa Devi
w/o Gobardhan Singh
58E, Kailash Bose Street
P.S. Amherst Street, Calcutta – 700006
 - 6) Purna Devi
W/o Bishu Kahar
40A, Kachari Road, 20 NO Gali, p.o. Kakinara, Dist: 24 Paragnas (North)
 - 7) Gholi Devi, W/o Kishan Kahar,
N-81, Paharpur Road, P.S. Metiabruz, Calcutta
- NO (5),(6)& (7) are daughters of late Batauri Ram Kahar, and No (2)& (3) sons of late Laxmi Devi kahar and No (4) is the daughter of late Laxmi Devi Kahar
..... Defendants

Suit for Partition and Permanant Injunction valued at Rs 100100/-

Date of hearing	Actions taken/Order given	Date of next hearing	Duration till next hearing (approx..)	Remarks
3/17/1997	plaintiff is filed today. Register, C.F paid is sufficient and provisionally accepted. Requisites filed. Issues summons upon the defendant through court and by registered post.	5/6/1997	2 months	Case Filed and issued summons for Defendants
5/6/1997	Plaintiff has filed his hazira. Summons upon defaults have not yet issued dure to defective.Plaintiff is directed to take steps by 18/6/1997	6/18/1997	1 month	Defandants not present. Given 1 month time for Action
6/18/1997	Plaintiff has filed hazira	8/20/1997	2 months	Adjourned for 2 months
8/20/1997	Plaintiff prays for time to take steps. Issued petition and Considered. Prayer is allowed.	9/26/1997	1 month	Adjourned for 1 month as Plaintiff requested time
9/26/1997	Plaintiff prays for time to take steps. Issued petition and Considered. Prayer is allowed.	11/4/1997	2 months	Adjourned for 2 month as Plaintiff requested time
11/4/1997	Plaintiff prays for time to take steps. Issued petition and Considered. Prayer is allowed.	12/17/1997	1 month	Adjourned for 1 month as Plaintiff requested time
12/17/1997	Plaintiff prays for time to take steps. Issued petition and Considered. Prayer is allowed.	1/15/1998	1 month	Adjourned for 1 month as Plaintiff requested time
1/15/1998	Plaintiff has filed conveyance charge of 0.5Rs along with one original Summon. Issued Summon upon the defendants through court process and by registered post.	3/23/1998	2 months	Defandants not present. Issued summons thru Reg Post
3/23/1998	Plaintiff has filed his hazira. Defendant nos 1 and 2 appear and they pray for time to file WS. Prayesr are allowed.	5/4/1998	2 months	Defandants present. Requested time for WS
5/4/1998	Plaintiff has filed his hazira. Defendant nos 1 and 2 take no steps. It appreard from the records summons upon defendants nos 5 and 6 have returned back with report. Issue the same proper jurisdiction at once	6/12/1998	1 month	Adjourned for 1 month
6/12/1998	Case is adjourned to 29/7/98 for filing WS by defendants nos 1 and 2 as last chance	7/29/1998	1 month	Adjorned for 1 month
7/29/1998	Plaintiff has filed hazira. Defendant takes no steps. Adjourned to 10/9/98 for Ws by defendants as last chance	9/10/1998	2 months	Adjourned for 2 months

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9/10/1998	Defendant nos 1 and 2 takes no steps. Plaintiff has filed hazira today is fixed for filing WS by defendants nos 1 and 2 as last chance. They did not take any steps. Hence the action will be taken against defendant nos 1 and 2. Summons upon defendant nos 6 and 5 returned unserved./ Let the same will be re issued at once	12/17/1998	3 months	Adjourned for 3 months
12/17/1998	Plaintiff has filed his hazira. Defendant nos 1 and 2 take no steps. Reissued summons upon defendants nos 5 and 6 at once.	3/8/1999	3 months	Adjourned for 3 months
3/8/1999	Plaintiff has filed his hazira. S/R has not yet received	5/12/1999	2 months	Adjourned for 2 months
5/12/1999	Plaintiff takes no steps. S/R is not yet received	7/12/1999	2 months	Adjourned for 2 months
7/12/1999	Plaintiff takes no steps. S/R is not yet received	9/15/1999	2 months	Adjourned for 2 months
9/15/1999	Plaintiff takes no steps. S/R is not yet received	12/9/1999	3 months	Adjourned for 3 months
12/9/1999	Plaintiff takes no steps. S/R is not yet received	2/14/2000	2 months	Adjourned for 2 months
2/14/2000	Plaintiff takes no steps. S/R is not yet received	4/17/2000	2 months	Adjourned for 2 months
4/17/2000	Plaintiff takes no steps. S/R is not yet received	9/7/2000	5 months	Adjourned for 5 months
9/7/2000	Plaintiff takes no steps. S/R is not yet received	12/1/2000	3 months	Adjourned for 3 months
12/1/2000	Due to cease work, no co-ordinator has participated. Court adjourned to 5/2/2001	2/5/2001	2 months	Adjourned for 1 month due to cease work
2/5/2001	Plaintiff takes no steps. S/R is not yet received	4/10/2001	2 months	Adjourned for 2 months
4/10/2001	Plaintiff takes no steps. S/R is not yet received	6/11/2001	2 months	Adjourned for 2 months
6/11/2001	Plaintiff has filed hazira. S.R and A/D not yet returned back. Plaintiff is directed to take afresh steps upon defendant nos 5 and 6 by 11/7/2001	7/11/2001	1 month	Adjourned for 1 months
7/11/2001	Plaintiff has filed hazira through advocate. NO steps taken upon defendant 5 and 6	8/14/2001	1 month	Adjourned for 1 months
8/14/2001	Plaintiff has filed hazira through advocate. NO steps taken upon defendant 5 and 6. Plaintiff is further directed to take fresh steps by 27/9/01 without fail	9/27/2001	1 month	Adjourned for 1 months

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9/27/2001	Plaintiff prays for time to take steps. Issued petition and Considered. Prayer is allowed.	12/1/2001	3 months	Adjourned for 3 months
12/1/2001	Plaintiff file hazira. To 31/1/2002 for taking steps afresh by plaintiff upon defendant nos 5 and 6 as last chance	1/30/2002	1 month	Adjourned for 1 months
1/30/2002	Requisite put on this day. Process fees paid. Issued summons upon defendant nos 5 and 6 by both ways accordingly	4/10/2002	3 months	Issued Summons on Defendants 5&6
4/10/2002	Summons upon defendant has not yet reissued. Issue the same upon defendant nos 5 and 6 at once	7/18/2002	3 months	Issued Summons on Defendants 5&6
7/18/2002	S/R and A/D not yet returned at the source. This case is adjourned to 25/9/2002	9/25/2002	2 months	Adjourned for 2 months
9/25/2002	Plaintiff files hazira. S/R and A/D not yet received	1/10/2003	4 months	Adjourned for 4 months
1/10/2003	No steps taken on behalf of the plaintiff. S/R A/D not yet returned back.	3/21/2003	2 months	Adjourned for 2 months
3/21/2003	No steps taken on behalf of the plaintiff. S/R A/D not yet returned back.	5/27/2003	2 months	Adjourned for 2 months
5/27/2003	Plaintiff files hazira. S/R and A/D not yet received	7/15/2003	2 months	Adjourned for 2 months
7/15/2003	Plaintiff has filed hazira. A/D card of defendant nos 5 has received duly been reported. Envelop of defendant no 6 returned back unserved with postal remarks is not known S/R and A/D of defendant nos 3,4 and 7 not yet received. Defendant nos 5 did not takes any steps after receiving summons. Let the Judge be heard against her	9/2/2003	2 months	Adjourned for Action from Judge
9/2/2003	Plaintiff files hazira. S/R and A/D not yet received	11/27/2003	2 months	Adjourned for 2 months
11/27/2003	Plaintiff files hazira. S/R and A/D not yet received	1/22/2004	2 months	Adjourned for 2 months
1/22/2004	Plaintiff files hazira. S/R and A/D not yet received	3/17/2004	2 months	Adjourned for 2 months
3/17/2004	Plaintiff files hazira. S/R and A/D not yet received	5/6/2004	2 months	Adjourned for 2 months
5/6/2004	Plaintiff files hazira. S/R and A/D not yet received	6/18/2004	2 months	Adjourned for 2 months
6/18/2004	On the prayer of plaintiff , court adjourned to 28/7/04 for takiing steps	7/28/2004	1 month	Plaintiff requested tome . Adjourned for 1 month
7/28/2004	Requisites put on request of plaintiff iossed a fresh summons upon for defendant nos 3,4,6,7 by reg. post.	9/14/2004	2 months	Adjourned for 2 months

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9/14/2004	Plaintiff files hazira. No A/d is received from Defendant nos 3,4,6, 7. PR also not fixed	12/7/2004	3 months	Adjourned for 3 months
12/7/2004	Plaintiff files hazira. No A/d is received from Defendant nos 3,4,6, 7. PR also not fixed	2/5/2005	2 months	Adjourned for 2 months
2/5/2005	Plaintiff files hazira. No A/d is received from Defendant nos 3,4,6, 7. PR also not fixed	3/30/2005	1 month	Adjourned for 1 months
3/30/2005	Plaintiff files hazira. No A/d is received from Defendant nos 3,4,6, 7. PR also not fixed	5/11/2005	2 months	Adjourned for 2 months
5/11/2005	On the prayer of the plaintiff, court adjourned to 6/7/05 for taking steps upon the defendant nos 6 without fail	7/6/2005	2 months	Adjourned for 2 months
7/6/2005	On the prayer of the plaintiff, court adjourned to 6/7/05 for taking steps upon the defendant nos 6 without fail	8/17/2005	1 month	Adjourned for 1 months
8/17/2005	Plaintiff files hazira. Requested for order to allow plaintiff to issue summon upon defendanr nos 6.	11/7/2005	3 months	Adjourned for 3 months
11/7/2005	Plaintiff take no steps upon defendant no 6 as directed. Plaintiff is directed to take steps on defendant no 6 by 19/12/05	12/19/2005	1 month	Adjourned for 1 months
12/19/2005	Plaintiff file hazira and also files a requestb for issue summons upon defendant no 6 by reg. post.	2/2/2006	2 months	Adjourned for 2 months
2/2/2006	Planitiff files and Hazira. No A/D of defendant no6 has been taken Fix 24/03/06 for issueing A/D on Defendant no 6	4/25/2006	2 months	Adjourned for 2 months
4/25/2006	Plaintiff files hazira. Defendant takes no steps. So fix 6/6/06 for expert hearing	6/6/2006	2 months	Adjourned for 2 months
6/6/2006	Plaintiff files hazzira. But nowPliantiff prays for do not take part in court. Case is adjourned	6/20/2006	15 days	Adjourned for 15 days
6/20/2006	Adojourned to 6/7/06 for expert hearing of the case	7/6/2006	15 days	Adjourned for 15 days
7/6/2006	Plaintiff files hazira. Case is taken up for expert hearing. Plaintiff filed an affidavit in favour of petitioner 1. Adjourned for 12/7/06 for final judgement	7/12/2006	1 month	Adjourned for final Judgement
7/12/2006	Judge announced hius judgement. Decree is issues. Court ordered plaintiff and defendanets to partition the property amicable within 60dyas. Otherwise, any of the parties have been got liberty to partition the properties in	9/25/2006	2 months	Judgement Declared

	respect of their shares by appointing survey passed pleader commissioner through court to make the decree finally			
9/25/2006	Decree is prepared, sealed and signed this day			

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	56	110
2	Presiding officer busy		
3	Presiding officer on transfer order	3	7
3	Presiding officer on leave	5	8
4	Request by defendant	6	9
5	Request by plaintiff	13	20
6	Both parties absent		
7	Defendant absent		
8	Plaintiff absent		
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	3	3
11	Adjourned for passing judgement	2	4

Case No.38

Title Suit No. 333 of 2000 (1st Civil Judge of Jr. Division Alipore)

Background:

Plaintiff: Prasanta Chatterjee

Defendant: Anirban Majumdar and others (Original Defendant Priyatosh Majumdar died long back as per record dt. 05/03/2003.

Plaintiff and original Defendant (since deceased) along with the son of original defendant, were partners of M/s Chatterjee Co., and M/s P.K. Chatterjee and Co. The major issue of contention has been the difference of opinions regarding business policy.

Partnership business was dissolved and dissolution of Partnership Deed was executed by and between the partners of the firms on 30/08/1999. After dissolution Anirban Majumdar did not take any liability while the plaintiff took all the liabilities and outstanding debt of the firm. The plaintiff have taken a loan of Rs. 11,12,662/- and the defendant 1 took responsibility for the payment of the said money through plaintiff by issue of Post-dated cheques in the name of defendant 1. Plaintiff issued 30 PDCs with first payment scheduled on 12/10/1999. However, Dulal Kanti Majumdar, one of the creditors, filed a Money Suit for Rs.45000/- for realization of his dues from plaintiff and his company along with Anirban Majumdar, but Anirban is not contesting the suit as he has retired from partnership business. He took the responsibility of paying the dues to Dulal Majumdar as per writings dt. 06/09/1999, by encashing the PDC issued by plaintiff. The defendant encashed considerable amount but did not pay any outstanding dues to any creditor. Thus the plaintiff accused that the defendant 1 intentionally put the plaintiff in trouble and only wanted to get the money via cheating.

Further, defendant 1 joined hands with creditors to put the plaintiff in further trouble and the plaintiff's goodwill was also hampered causing trouble in business transactions. The plaintiff hence filed the suit demanding permanent injunction so that the defendant cannot encash any post-dated cheques.

Sl. No.		
1.	Nature or type of suit	T.S 333/ 2000
2.	Filed on	6.12.2000
3.	Filed in which court	District court Alipore
4.	When it was initiated	12.2.01
5.	When was the act of judgement	24.3.10
6.	How much time	9
7.	What was the result	Dismissed on exparte
8.	Filed by	Plaintiff: Prasanta Chatterjee Defendant: Anirban Majumdar and others

Case Proceedings:

Date	Action Taken/Order Given	Duration (in months)
06/12/00	Suit filed, time allowed for filing by defendant	2
12/02/01	Defendant requested for extension, plaintiff was present	2
04/04/01	Requisites already put in admit, hearing in next date	20 days
24/04/01	Extension given as there was a strike by lawyers	1
19/06/01	Defendant requested for another extension for producing more documents	1
11/07/01	Defendant was absent, hence judge gave another extension	1.5
27/08/01	Last chance given to defendant upon application to postpone date of hearing	1
24/09/01	Defendant appears in the court, after hearing files a petition supported by affidavit	5
19/02/02	Hearing takes place and further hearing for next date	1
15/03/02	Defendant was absent and requested extension	3
14/06/02	Hearing postponed on request by both parties	2
23/08/02	Plaintiff appeals and files affidavit with order 22, Rule 4	1
17/09/02	Affidavit with order 22, rule 4 put up to decision	3
20/12/02	Both parties were absent	3
05/03/03	Record is taken up for order. Lawyers for both sides pushed for instant petition, affidavit and other materials. Cause title of the plaint and relevant register be amended	1.5
29/04/03	Documents reviewed, extension for legal proceedings upon death of defendant 1	3
30/07/03	SA/AD, further extension on appeal of defendant	4
03/12/03	The other defendants and witnesses did not appear for due hearing	2
12/02/04	Affidavits along with P-records that are needed are yet to be presented. Delay in files sent by registered post	1.5
31/03/04	On calls at 3.20 pm by the honorable judge, none appears on behalf of the defendant	21 days
21/04/04	Affidavit with order 6, rule 17 produced before court, next hearing date given	1
24/05/04	Further postponement for producing full documents	17 days
10/06/04	Defendant 2 takes no steps for producing requisite affidavits. Defendant 2 registered due to death of defendant 1. Plaintiff prays for amendment of the plaint as some of the facts	1

	are urgently revised for the death of defendant 1. Proposed amendment is formal in nature and will not change the nature and character of the suit	
06/07/04	Defendant files hazira. Affidavit files are submitted by the plaintiff	1
14/07/04	Extension and adjournment as judge was physically sick	2.5
01/10/04	Additional data needed to be provided by the defendant	2.5
16/12/04	Both parties requested for an extension	2
11/02/05	Defendant submits documents on court for further proceedings, next hearing date given	1
19/03/05	S/DP, H date fixed for 16/07/05. Hearings for main suit has been stalled	4
16/07/05	Further extension given on appeal	2
10/09/05	Defendant prayed for time to extension for further hearing	2
18/11/05	Defendant files P receipt, AD for further review	1
23/12/05	Defendant was absent on call	2
16/02/06	Plaintiff prays for an extension	2
17/04/06	Due to cease of the working of the court, hearing postponed	1.5
06/06/06	Hearing takes place along with arguments presented by both parties, date given for further hearing	2
03/08/06	Both parties were absent	2
27/09/06	Defendant 2 absent on call, defendant 2 needed to show cause of absence on next hearing due to repetitive absence	1.5
14/11/06	Defendant did not file show cause	1.5
22/12/06	Show cause submitted with a fine of Rs. 200/-	3
30/03/07	Both parties present, hearing takes place	2
28/05/07	Both parties were absent	1.5
19/07/07	Again defendant 2 needed to show cause as to why they shall not be penalized	5
26/12/07	Despite repeated calls no one appears on behalf of defendant	1
18/01/08	Defendant filed show cause. S/A and A/D executed	2
12/03/08	Defendant request extension	2
15/05/08	Another extension given to plaintiff for producing further evidences	1
12/06/08	Plaintiff requests extension	1
06/08/08	Hearing takes place, date given for next hearing	1.5
17/09/08	Request placed by defendant for further extension	3
12/12/08	Requisite documents not submitted	1.5
28/01/09	Defendant prays for extension, all documents not properly recorded	1.5
05/03/09	Defendant files petition for time for further steps. Adjourn cost will be Rs. 1000/-	1
16/04/09	Plaintiff files petition for adjournment	1.5
03/06/09	Hearing takes place, date given for next hearing	1
07/08/09	Plaintiff files a prayer for further adjournment	4
30/11/09	Both parties take no steps, postponed for argument exparte	3.5
12/03/10	Plaintiff files hazira. Case taken up for hd argument exparte. Hd argument in full. Fixed date of 24/03/10 for exparte orders	12 days
24/03/10	Final decree given. The day is fixed for order and record taken up for the same. Suit is dismissed exparte and no injunction provided	2
31/05/10	Decree prepared, sealed and signed.	

Analysis and Conclusion:

So, ultimately the plaintiff lost the case due to insufficient evidences and poor arguments. After analyzing the case it has been found that the case continued for almost 9 ½ years and

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one of the major reasons has been the fact that the original defendant died while the case was still going on. Since his son stepped up as defendant 2, a lot of formal paper works and re-arrangements needed to be done and the case history shows that the defendant has been irregular on multiple occasions, missed the hearing dates on several times to the extent that he had to be finally show caused and penalized by the honorable judge. Also there have been issues with incomplete paper works on multiple occasions. In a few instances, even the plaintiff was absent on the hearing date. In a couple of other extraordinary situation, there has been a strike by the lawyers, while on one occasion the judge felt sick as well. Apart from that there are huge gaps between two hearing dates which account for the summer vacation, festival vacation which continues for over a month solely for the judiciary system. Hence, we can conclude that while partly the delay can be attributed to the flaws and malfunctioning of regular judiciary operations, majority of the delay has been due to the extensions and absence on the part of the defendant, which can also be a strategy to collect better evidences and buying out time to further strategize their next move. And surprisingly, the final decree shows that somewhat the defendant was successful in following such a plan.

Date of hearing	Actions taken/Order given	Date of next hearing	Duration till next hearing (approx..)	Remarks
29-04-1980	Register a file summons upon the defender filling	06-06-1980	1 month	Adjourned so that summons can be issued to defendant and time allowed to file response
02-05-1980	<p>Petitioner files a petition under 3c & 151 CPC, Imported by an affidavit dated on 20th April 1980 praying for issuing an order of temping against the defender no 1 restraining him from creating any disturbances, in the peaceful possession of the petitioner, over the suit land during pendency of the suit.</p> <p>It is put up to date for order. Scrutinized PETITION and affidavit.</p> <p>Issue notice upon the defender no1, directing him to show cause within 10 days from the date of receiving notice as to why an order of temping shall not be granted against him as prayed for.</p> <p>Prayer for affidavit injunction considered. Prima facie is satisfied.</p> <p>That the prayer for affidavit injunction is allowed, provided the petitioner comply him provisions under 39 Rate 3 (a) (1) (11) (111) and CPC by 3rd May 1980.</p> <p>Petitioner files a PETITION praying for nature of documents an on condition to report the same, for the reasons stated. The prayer is allowed.</p>	03-05-1980	1 day	
03-05-1980	On compliment of the order on dated 2nd may 198, the petitioner files affidavit.	04-08-1980	3 months	Time for awaiting receipts of summons

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04-08-1980	Adjourned to 18/8/1980	18-08-1980	15 days	Time for awaiting receipts of summons
20-08-1980	Defender no1 files objection against matter. Copy submitted and accepted. . Defender no1 is file a affidavit by the date fixed.	20-11-1980	3 months	Fixing the date for hearing matter
18-11-1980	Petitioner files hazira. Return of summons needed exam defender no 2. Defender(State) files a PETITION praying for time to fill WS. Time is till 12th February 1981 for WS Petitioner to issue summon on defender no 2	12-02-1981	3 months	Defender requested for time
12-02-1981	Defender(State) files a PETITION praying for time to fill WS. Time is till 25th May 1981 for WS	25-05-1981	3.5 months	Defender requested for time
25-05-1981	Petitioner files hazira. Returns of summons on defender no 2. Order issued to take steps by 18/8/1981 against defender 2. Defender(State) files a PETITION praying for time to fill WS. Time is allowed till today for WS	18-08-1981	3 months	Defender requested for time
18-08-1981	No steps taken. Petition files hazira. He is to show cause by 19/11/81 as to why name of defender 2 is not expunged. Defender(State) files a PETITION praying for time to fill WS. Time is till date for WS	19-11-1981	3 months	Defender requested for time
19-11-1981	Defender(State) files a PETITION praying for time to fill WS. Time is till 8/2/82 for WS	08-02-1982	3 months	Defender requested for time
08-02-1982	Defender(State) files a PETITION praying for time to fill WS. Time is till 13/4/82 for WS	13-04-1982	2 months	Defender requested for time
13-04-1982	No steps taken. Petition files hazira. He is to show cause by 4/6/82 as to why name of defender 2 is not expunged. Defender(State) files a PETITION praying for time to fill WS. Time is till date for WS	04-06-1982	2 months	Defender requested for time
04-06-1982	Petition files hazira. Defender(State) files a PETITION praying for time to fill WS. Time is till 30/7/82 for WS	30-07-1982	2 months	Defender requested for time
30-07-1982	Petition files hazira. Defender(State) files a PETITION praying for time to fill WS. Time is till 23/11/82 for WS	23-11-1982	4 months	Defender requested for time
23-11-1982	Petition files hazira. Defender(State) files a PETITION praying for time to fill WS. PETITION stands rejected. Petitioner to file show cause PETITION by 31/1/83 as a last chance.	31-01-1983	2 months	Defender requested for time
31-01-1983	Petitioner files a show cause for delay he garnered. Petition to take steps by 23/3/83 against defender 2. Defender(State) files a PETITION praying for time to fill WS. Time is allowed.	23-03-1982	2 months	Defender requested for time
23-03-1982	Requisites issued summon for defender no 2 fixing 20/5/1983 for order. Defender also files WS objection Defender to pay XXXX Rs by the date fixed in acceptance of WS	20-05-1983	2 months	issued show cause notice
20-05-1982	Petitioner files hazira Defender files a PETITION praying for time to pay	27-06-1983	1 months	Defender requested for time

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	cost . Time is allowed till 27/6/83 for payment of cost			
27-06-1983	Defender files a PETITION praying for time to pay cost. Time is allowed till 19/8/83 for payment of cost	19-08-1983	2 months	Defender requested for time
19-08-1983	Petitioner files hazira Defender files a PETITION praying for time to pay cost. Time is allowed till 14/11/83 for payment of cost	14-11-1983	3 months	Defender requested for time
15-11-1983	The date is declared holiday. It is put up today for orders Defender to pay cost by 15/1/84 Cost not paid. Defender state is to show cause by 13/3/84 as to why the WS shall not be struck off	15-01-1984	2 months	Issued show cause notice
15-01-1984	Cost not paid. Defender state is to show cause by 13/3/84 as to why the WS shall not be struck off	13-03-1984	2 months	issued show cause notice
13-03-1984	PETITION files hazira. Defender state files show cause. Petitioner not taken any steps. Hence the WS be struck off. Fix 13/6/84 for Exp hearing.	13-06-1984	3 months	Defender requested for time
13-06-1984	Petitioner files a petition praying for time for the adjourn of exp.hearing. Considered the prayer. Time is allowed till 30/10/84 for exp. Hearing	30-10-1984	4.5 months	Defender requested for time
30-10-1984	Petitioner files a petition praying for time for the adjourn of exp.hearing. Considered the prayer. Time is allowed till 18/3/85 for exp. Hearing	18-03-1985	4.5 months	Defender requested for time
18-03-1985	Defender files 3 petitions for show causing of delay & another for vacating exp order & another for time to pay costs. Copy served. The show cause is sufficient for delay to be considered. Exp .order be vacated subjected to payment of costs of Rs 8. To 4/6/85, for payment of costs the heirs of trust also file a petition for being subjected to plaintiff who died on 25/12/84. Copy served To date for hearing of their petition	04-06-1985	2.5 months	Adjourned for further hearing
04-06-1985	Petitioner filed hazira. No time today. To 9/9/85 for hearing the summons. Petition dated on 18/3/85 to date for payment of costs	09-09-1985	3 months	Defender requested for time
09-09-1985	Parties files hazira. Today is fixed for hearing the summon petition dated on 18/3/85. Name of the plaintiff be substituted in place of deceased plaintiff. To 29/11/85 for payment of costs by the defender	29-11-1985	3 months	Defender requested for time
29-11-1985	Plaintiff files hazira Defender files a PETITION praying for time to pay cost Time is allowed till 10/2/86 for payment of cost The heirs of plaintiff no 1 files a petition for being substituted in place of plaintiff no 1, who died on 18/10/85. Copy served	10-02-1986	3 months	Defender requested for time

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10-02-1986	Plaintiff files a PETITION praying for time to pay cost Time is allowed till 30/7/86 for payment of cost	30-07-1986	6 months	Defender requested for time
30-07-1986	Plaintiff file a petition praying for time for expert hearing. Defender files 3 petitions 1) for show causing 2) for time to file WS 3) for vacating the expert hearing copy served. considered cause shown sufficient. Expert order is here by vacated. Plaintiff petition for time is allowed	26-09-1986	2 months	Defender requested for time
26-09-1986	Plaintiff files hazira. Defender neither files any hazira nor takes any steps. To 25/2/87 for expert hearing	25-02-1987	5 months	Defender requested for time
25-05-1987	Plaintiff file a petition for expert hearing. Defender file 3 petitions For showing cause For time for WS For vacating the expert hearing Considered cause showing. Expert order be vacated subjected to file ws	15-05-1987	3 months	Defender requested for time
15-05-1987	Plaintiff file hazira. Defender neither file any hazira nor take any other steps	26-11-1987	6 months	Defender requested for time
26-11-1987	Plaintiff file a petition for expert hearing. Defender file 3 petitions For showing cause For time for WS For vacating the expert hearing	06-02-1988	2.5 months	Defender requested for time
PRESENT SA MOTAEB				
06-02-1988	parties file separate petition praying time. Prayer is allowed.	11-07-1988	5 months	Adjourned for further hearing
11-07-1988	Plaintiff files a petition for time for steps. Prayer is allowed TO 20/12/88 for steps	20-12-1988	5 months	Plaintiff requested for time
20-12-1988	Plaintiff files a petition for time for steps. Prayer is allowed TO 10/5/89 for steps	10-05-1989	5 months	Plaintiff requested for time
10-05-1989	Plaintiff files a petition for time for steps. Prayer is rejected TO 22/8/89 for payment	22-08-1989	3 months	Plaintiff requested for time
22-08-1989	Plaintiff files hazira Defender files a PETITION praying for time to pay cost. Prayer is allowed. To 15/1/90 to cost by defender	15-01-1990	5 months	Defender requested for time
15-01-1990	parties file hazira. Defender took no steps for payment of costs. To 29/5/90 for expert hearing	29-05-1990	4.5 months	Defender requested for time
29-05-1990	Plaintiff files a petition for time for Expert hearing. Defender files 3 petitions for vacating the exp. hearing. Judge considered cause shown is sufficient. Exp order be vacated subjected to file WS. To 28/8/90 for WS	28-08-1990	3 months	Defender requested for time
28-08-1990	Plaintiff files hazira. Defender took no steps. TO 7/3/91 for exp hearing	07-03-1991	6.5 month	Defender requested for time
07-03-1991	Plaintiff files a petition for time for exp hearing. Defender files 3 petitions for vacating the expert	17-05-1991	2 months	Defender requested for time

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	hearing. Judge considered cause shown is sufficient. Exp order is vacated subjected to file WS. To17/5/91 for WS			
17-05-1991	Parties file hazira. To 23/7/91 for payment of cost by defender.	23-07-1991	2 months	Defender requested for time
PRESENT A CHOUDHARY				
23-07-1991	To 2/12/91 for cost by defender	02-12-1991	4.5 months	Adjourned for further hearing
02-12-1991	Plaintiff files a petition for exemption of cost. Copy severed.	23-12-1991	0.5 months	Plaintiff requested for time
23-12-1991	Parties file a hazira. Judgement framed and signed this day. To 25/1/92 for Delivery	25-01-1992	1 months	Defender requested for time
25-01-1992	To 5/3/1992 for personal hearing	05-03-1992	1.5 month	
05-03-1992	Parties file separate petition praying for time for personal hearing. Copy served. Considered. Prayers accepted	13-03-1992	1 week	Both parties requested for time
13-03-1992	The plaintiff files documents along with requisites and also files petition praying for issuing summon to the witnesses by reg. Post due to short time let it be kept with the recorded and issue summons to the witness at the risk of the parties to date	19-03-1992	1 week	Adjourned for further hearing
19-03-1992	Parties file separate petition for time for personal hearing	24-03-1992	1 week	Both parties requested for time
24-03-1992	Parties file hazira. Case is take up for personal hearing. PW 1 Bhusaance Mandal is examined in cheap. Cross examined in full an discharged. At this stage Plaintiff files petition for praying for recall PW1 Prayer is accepted.PW1 Bhussance Mandal recalled . Examined IN full . discharged document marked extension 124B Evidence closed both sides Plaintiff raised time is accepted .	30/30/1992	1 week	Adjourned for judgement delivery
30-03-1992	Plaintiff file hazira. Defender files a petition for time for Argument Copy served.	31-03-1992	1 day	Plaintif requested time
31-03-1992	Argument heard in full in presence of both sides. Judgement delivered before open court in presence of both sides. That the suit be and the same is dismissed on context with costs as per judgement kept in 3 separate sheets with the record			Judgement Deliverd
07-08-1993	Decree sealed and sealed this day as a decree was shown up. By the D/A Served Transferred. D/A is heard by considered in farewell			Case closed

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	48	107
2	Presiding officer busy	6	8
3	Presiding officer on transfer order	1	3
3	Presiding officer on leave	6	7
4	Request by defendant	5	7
5	Request by plaintiff	10	14
6	Both parties absent		
7	Defendant absent	2	3
8	Plaintiff absent		
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	3	3
11	Adjourned for passing judgement		

Sl. No.	Reason for Adjournment	Number of Adjournments	Total Duration of Adjournments
1	Court functioning	79	158
2	Presiding officer busy	8	12
3	Presiding officer on transfer order		
3	Presiding officer on leave	5	11
4	Request by defendant	6	17
5	Request by plaintiff	15	23
6	Both parties absent	10	14
7	Defendant absent	4	10
8	Plaintiff absent	2	5
9	Awaiting order/instructions from High Court	-	-
10	Scheduling error/holiday declared/strike	4	7
11	Adjourned for passing judgement	2	16