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**CO 4023 of 2014**

Khentabala Mandal  
Vs.  
Smt. Trishna Roy & Ors.

Mr Partha Sarathi Bhattacharyya  
Mr Raju Bhattacharyya  
Mr Arunava Maiti  
... For the petitioner

It is evident that the order impugned is Order No.94 in Partition Suit No.48 of 2007 passed by the Civil Judge (Senior Division), Islampore, Uttar Dinajpur. Such order is dated December 23, 2014, though December 23, 2014 has not arrived yet. It is evident from the relevant order that there was a mistake in the year as the previous order was passed on December 12, 2013 and the subsequent order was passed on January 21, 2014. The order impugned should have recorded its date to be December 23, 2013.

Since the petitioner has sought to challenge an order of December, 2013 a year later without any or adequate justification for the delay, CO 4023 of 2014 is not entertained and the merits of the matter are not gone into. In any event, this rejection will not stand in the way of the petitioner being entitled to challenge the final decree.

There will be no order as to costs.

**(Sanjib Banerjee, J.)**