

In the Court of Sub Judge-III, Benipur

Present:- Sri Pranav Kumar Bharti

Title Suit No.-33 of 2016, Registration No.-40/16

Kamalkant Jha & Other vs. Jai Krishna Prasad & Others

04-03-2021

Case is called out and record is produced before me. Both plaintiff and defendants are absent. Perused the case record. On perusal of the case record, it appears to the Court that this instant suit has been brought by the plaintiffs against nine defendants on 20.08.2016. After admission, summon was issued against the defendants. It appears that Defendant No.-9 appeared in the Court and filed W.S. on 21.03.2017. It further appears that plaint was amended vide order dated-27.03.2018, then summon was directed to be issued, but requisites of summon was not filed on behalf of the plaintiff. On perusal of the case record, it appears that a petition U/O-XXII, Rule-4 of the C.P.C. has been filed on behalf of the plaintiff on 29.01.2021, but the same was not pressed. On perusal of the order-sheet dated-04.03.2020, it transpires that this record has regularly been posted for filling suggestive issues, this discrepancy is removed from today. The Court is of opinion that Plaintiff is the master of suit and he ought to appear for hearing on date fixed. Thus, plaintiff is directed to must appear for hearing on petition dated-29.01.2021, otherwise proper order will be passed in accordance with law.

Fixing on 05-04-21 for hearing.

Dictated

Sub Judge-III
04.03.2021

