

In the court of Civil Judge (Sr. Division)-VI, Patna City

T.S. 294/2009

Order

18-06-2024

Plaintiff and Defendant No. 1 & 2 are in attendance and they are represented through their learned counsel.

Today the record put up on order of petition dt. 08-02-2024 U/o XVII read with S. 151 CPC filed on behalf of defendant praying to recall the order dt. 18-01-2024. Thereafter rejoinder was filed on behalf of plaintiff on 20-03-2024.

Heard the learned counsels for the plaintiff and defendant and perused the case record. From the perusal of the case record it appears that this is very old case and pending since 2009. It is apparent from the perusal of the order-sheet that defendant has been given several opportunities to produce his evidence. On 01-06-2023 defendant was directed to produce evidence and then on 05-10-2023 last chance was given to the defendant to produce his evidence. In spite of that on 18-01-2024 neither defendant nor his advocate appeared before the court on call and so, on that date evidence was closed. It appears that the intention of defendant is just to delay and linger the case. Allowing this type of petition would lead to civil case being prolonged for indefinite period.

Hence, in the interest of justice this court deems it proper to reject the petition dt. 08-02-2024 on behalf of defendant for recalling the order dt. 18-01-2024. Put on 29-7-24 for further proceeding.


Civil Judge (Sr. Division)-VI
Patna City