

**T.S. 165 of 2022**

**Reg. No. 506 of 2022**

**JO Code : WB01156**

**Order No. 19 dated 07-05-2025:**

Today is fixed for hearing of the petition under section 151 of C.P.C and W/O in the meantime.

Defendants file hazira.

Ld. Advocate on behalf of the plaintiff files hazira along with a petition made under Or. 39 R. 7 of C.P.C & read with section 131 of C.P.C and prays to move the same.

Ld. Advocate for the defendant prays for filing w/o against the petition under Or. 39 R. 7 of C.P.C.

Let the petition be kept with the record.

Now, the petition under section 151 of C.P.C dated- 06.03.2025 is taken up for hearing.

Heard both sides.

The Ld. Advocate for the plaintiff filed a petition under section 151 of C.P.C on the grounds that due to inadvertant mistake, the extension petition of the plaintiff could not be filed on 03.07.2024 for which the ad interim injunction order was vacated. As such, the plaintiff has prayed for restoration of the said order.

Ld. Advocate on behalf of the defendants vehemently raised objection and prays for rejection of the same.

Perused. Considered.

It appears from the record that due to non taking of steps on 03.07.2024 the order of ad interim injunction was vacated by this court. Though the plaintiff has stated that the latches was unintentional, but I find no reason to allow the prayer of the plaintiff under section 151 of C.P.C as there is no specific provision in the C.P.C in respect of the instant petition at hand. Thus, the petition under section 151 of C.P.C of the plaintiff is hereby considered and rejected in limine .

Fix **04.08.2025** for hearing the petition made under 39 R. 7 of C.P.C and W/O in the meantime.

Sd/-

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C. J. (Jr. Div.), 1<sup>st</sup> Court,

C.J(Jr. Div.), 1<sup>st</sup> Court.

Contai, Purba Medinipur.

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