

Title Suit 1416 of 2023
CNR : WBSP02-003271-2023
Present: Smt. Jhilom Gupta [J.O. Code-WB00963] (In-charge)

Order dated 24.04.24

Today is fixed for hearing the petition dated 08.04.24 for vacating the order of ex parte hearing, filed by defendant..

Plaintiff has filed hazira and a petition for extension of ad-interim injunction.

The prayer for extension of ad-interim injunction is allowed.

Defendant also filed a hazira.

Both sides Ld. Advocates are present.

The petition for vacating the order of ex parte hearing dated 08.04.24 filed by the defendant is taken up for hearing.

Heard Ld. Advocates for the both sides in full.

Perused the petition and the record.

Defendant already filed W/S and W/O on 08.04.24, and copies are also duly served upon the plaintiff.

Considering the submission of both the sides, and after perusal of the said petition, I am of the opinion that to adjudicate the instant matter effectively the defendants should be given an opportunity to contest the suit.

Hence, considering the facts and circumstances stated above, **application dated 08.04.24 filed by the defendant for vacating the order of ex parte hearing is allowed on contest.**

There is no order as to costs.

Fix **03.05.24** for hearing application U/O 39 R1 and 2 CPC and for acceptance of W/S.

Ad-interim injunction is extended till next date.

D/C by me

Sd/-
Civil Judge (Sr.Divn.), 9th (I/C) Court,
Alipore, South 24 Parganas.
(J.O. Code: 00963)