

T.S. 430 of 2022
CIS No. 430 of 2022

Order no. 13 dated 03.01.2024

Today is fixed for hearing exparte vacating petition and hearing petition u/Order 39 Rule 7 of CPC.

Plaintiffs file hazira through their Ld. Advocate alongwith an application for extension of order of Ad interim Injunction.

Defendant files hazira through his Ld. Advocate.

Record is taken up for hearing of petition for vacating exparte order filed on 24.11.2023.

Ld. Advocate for the plaintiffs raises formal objection.

I think defendant must be given an opportunity to contest this case for the ends of justice. However, he must be subjected to cost for causing delay in this suit.

Hence, it is

ORDERED

that the petition filed by defendant is accepted subject to cost of Rs. 1,000/- to be paid by the defendant to the plaintiffs.

Accordingly, the order of proceeding with the suit on ex parte against defendant vide order dated 01.09.2023 is hereby vacated.

Hearing of petition u/Order 39 Rule 7 of CPC is hereby adjourned.

Ad interim order of injunction is extended till next date.

Fix 02.04.2024 for hearing of petition u/Order 39 Rule 7 of CPC and hearing Injunction petition and payment of cost.

Typed by me,

CJJD 2nd Court
Barrackpore

Civil Judge(Jr.Divn.),2nd Court,
Barrackpore