

TS No. 58 of 2025

PRESENT : Shri Samrat Roy
Civil Judge, Senior Division
South Andaman, Port Blair
(WB01072)

Order No.06 Date 22.09.2025

The record is placed before me today as the Ld. Advocate for the defendant NO.1 pointed out that previously the record was fixed for fresh step by the plaintiff and supply of the relied documents on today, however without serving any copy to them a put up petition was filed by the Ld. Advocate for the plaintiff and the date was re-ascribed on 28.11.2025 for hearing W.O if any, in the meantime.

The Ld. Advocate for the defendant submitted that 22.07.2025 she had made her appearance by filing vakalatnama and despite the above fact the earlier order was passed without giving her opportunity to be heard. She pointed out that the service return regarding the defendant NO.1 to 3, appended the report shows that the process server attempted to serve the notice on 25.06.2025 and the same were returned as unserved because the doors were locked. She also pointed out that along with the service return reports no copy of the plaint or the connected documents are appended and by misleading this Court the date was re-ascribed.

The Ld. Advocate appearing for the plaintiff could not adduce any satisfactory answer against the allegations raised against him.

Heard both the sides.

Considered.

Perused the last order, the order previous thereto, the service return reports and the other materials on record.

It appears from the service return reports that the notice could not be served as the doors were under lock and key and no

copy of the plaint and other documents are appended with the service return.

In the above premises, I am constrained to draw adverse impression regarding the conduct of the plaintiff and to direct him to show cause by the next date as to why the instant plaint shall not be rejected u/o 7 Rule 11 (f) r.w.order 7 Rule 9 of the CPC.

To date (28.11.2025) for show cause by the plaintiff i/d to necessary order.

Dictated and corrected by me

Civil Judge (Sr. Divn)

Civil Judge (Senior Division)
Port Blair, **(WB01072)**
(22.09.2025)