

T.S Case No.-465/2023**JO Code: WB01231****Cnr no. WBSP02-001039-2023****Order, Date: 04.03.2024**

Today is the date fixed for passing hearing petition dt 11.12.2023 and w/o, acceptance of w/s-cum-counter claim of defendant no.6 and w/o by the defendant no.2 and 3.

Plaintiff takes step through his Ld. Advocate and also filed an extension petition for ad-interim injunction order .

Defendant no.2 and 6 take step through their Ld. Advocate.

Ld. Advocate for the defendant no. 6 submitted that he needs to file re-joinder/w/o against the allegation made in w/s filed by the defendant no.2 for the interest of justice since defendant no.2 has levelled serious material allegation against the defendant no.6 which is required to be countered by filing w/o/rejoinder.

Plaintiff did not raise any objection and left upon the discretion of the Court to decide the fate of the petition.

This is a suit for partition and it is settled position of law that every party of partition is standing on the same footing as plaintiff.

Therefore petition is considered and allowed.

W/s- cum- counter claim is hereby accepted.

Defendant no.6 is at liberty to file w/o / rejoinder against the w/s filed by the defendant no.2.

At this stage Ld. Advocate for the defendant no.6 prayed to issue summons upon all the parties who have not yet appeared in the suit for his counter-claim which is considered and allowed.

Let the ad-interim injunction order dt 10.04.2023 be extended till next date.

It appears from the case record that the plaintiff is directed to take step upon those defendants who have not yet appeared.

Requisite at once.

The case is adjourned today.

Fix **06.05.2024** for steps.

Dictated and corrected by me**Sd/-****Civil Judge (Sr. Div.)****1st Court, Alipore****Sd/-****Civil Judge (Sr. Div.)****1st Court, Alipore**