

T.S. No. 727 of 2022
CNR No. WBWM04-001127-2022
J.O Code No. (WB01422)

Order No. 04 dt. 31.05.2023

Today is fixed for show cause by the plaintiff and filing W/S by the defendant no. 1, 3, 4 and S/R upon the defendant no. 2.

Ld. Advocate for the plaintiffs has filed a Hazira along with a show cause petition.

Ld. Advocate for the defendant no. 1 has filed Hazira along with the W/S.

Ld. Advocate for the State of West Bengal has filed Hazira.

None moved on behalf of the State of West Bengal.

Heard. Considered.

On perusal of the record, it is seen that on 18-03-2023 due to no step by the plaintiffs, the plaintiffs were directed to show cause as to why the instant suit shall not be dismissed for default. The plaintiffs have duly filed their show cause petition today. The grounds stated therein are found to be fit and hereby accepted with cost of Rs.400/- to be paid by the plaintiffs to the D.L.S.A, Paschim Medinipur. Further it appears from the record that the summon has been duly served upon the defendant no. 2 but inspite of that the defendant no. 2 has not appeared before this Court. Thus, keeping in mind the reluctant attitude of the defendant no. 2, the matter is liable to be proceeded as ex-parte against the defendant no. 2. Further the Ld. Advocate for the State of West Bengal is directed to take proper steps on the next steps positively. It also appears that no petition praying for time for filing W/O has been filed by the defendant no. 1 and so it can be presumed that the defendant no. 1 is not at all interested in the hearing of temporary injunction petition. The W/O is hereby accepted and let it be kept with the record.

To 08.08.2023 for ex-parte hearing of temporary injunction petition and payment of cost by the plaintiffs.

Sd/-
Civil Judge, (Jr. Div), 3rd Court,
Paschim Medinipur.