

T. S. No. 738 of 2022 (R. Same)
C.N.R. No. WBWM04-001148-2022
J.O. Code – WB01348.

Order No. 18. Dated 07.08.2026.

Today this case record stand fixed for hearing regarding acceptance of show cause which has been filed before this Court by the plaintiffs of this suit on last 08.01.2026.

Hazira filed for the plaintiffs of this suit.

On repeated calls, none appears before this Court today so as to move on behalf of the plaintiffs of this suit. On repeated calls, none of the plaintiffs of this suit also can be found so as to remain present before this Court today. No Ld. Advocate has moved before this Court representing the plaintiffs of this suit. The advocate on record for the plaintiffs Rumala Murmu, Ld. Advocate also cannot be found on repeated calls.

Today is actually fixed for hearing regarding acceptance of the show-cause reply which has been filed by the plaintiffs of this suit before this Court on the previous date as to : whether or not the same is cogent enough which can be accepted by this Court. Today as it appears the plaintiff side of this suit haven't cared so as to move before this Court in this case record or at least so as to remain present before this Court when this case record was called-up for hearing and they haven't found it necessary to mention before this Court or to move in any way before this Court about acceptance by this Court of their show-cause reply.

In absence of the plaintiffs of this suit, I have gone through the said show-cause reply dated 08.01.2026 and failed to find any satisfactory ground for it's acceptance. It was previously observed by this Court that this case was filed by the plaintiffs in the form of a Title Suit whereas by filling this suit they haven't made any prayer for declaration of their Title and prayed for a Decree of Eviction & Decree of permanent injunction against the defendant and for such kind of prayer/s they should have been filed this suit in the form of an Other Suit and not in the form of a Title Suit. No kind of clarification has been given so far in this case record by the plaintiffs as to – how they proposes so as to remove such irregularity in this case record although they have been given enough p=opportunities already in this regard by this Court. Instead, they have filed one show-cause reply which stand not supported by any affidavit and Ld. Advocate for the plaintiffs today hasn't found it necessary so as to move before this Court in any way so as to convince this Court about the genuineness of such plea made by the plaintiff side in the said show-cause reply dated 08.01.2026 – which prompts this Court so as to form a view that : the plaintiffs of this suit stand not serious enough so as to proceed with this suit in a diligent manner and in-spite-of availing opportunity in their favour, today they haven't found it necessary so as to move before this Court regarding the acceptance of their said show-cause reply.

Because of all such reasons and having found the negligent conduct of the plaintiff side so as to proceed with this suit in a prudent manner – I find that – such conduct of the plaintiff side is self explanatory of the fact that – they are not serious enough so as to conduct this suit in a diligent manner. Within the four corners of this present show-cause, I

fail to find any sufficient reason for which this present show cause might get accepted by this Court specially when Ld. Advocate for the plaintiff hasn't found it necessary so as to appear / remain present before this Court today and to convince this Court about their such plea. From the conduct of the plaintiffs of this suit – I am sure that, they are not diligent & serious enough so as to conduct the proceedings of this suit in a consistent and dedicated manner. This is merely a luxury litigation which the plaintiffs now cannot afford to run in an efficient way.

In view of the above – I am of the view that – it will be a futile effort so as to drag the proceedings of this suit any further when the plaintiffs are themselves not interested so as to conduct this suit in a zealous manner.

Standing in this scenario and given the factual background of the prevailing situation, this Court thinks that this suit is fit so as to get dismissed for default because of the reasons noted above and also that, I do not find the existence of any cogent ground for accepting this present show-cause submitted by the plaintiffs – the Ld. Advocate for the plaintiff side having not found it necessary so as to remain present before this Court and to convince this Court about the prudence of such ground quoted by them in their show-cause reply.

Accordingly, it is hereby

Ordered

That the show-cause submitted by the plaintiffs before this Court dated 08.01.2026 stand not accepted by this Court being none moved before this Court today in this respect and also having found the grounds shown therein as insufficient and also for the reasons noted above. As an immediate result – the instant suit be and the same is hereby dismissed for default without any order as to costs.

This Title Suit is thus stand disposed of.

All the interim orders of this suit are hereby vacated.

Suit Clerk is hereby directed so as to note accordingly in the relevant register.

D/C by me :

Sd/-

**Civil Judge (Junior Division)
3rd Court, Paschim Medinipur.**