

Mat Suit No.41 of 2025
CNR No.WBBD12-000152-2025
J.O.Code-WB01534

Order no.06 dated 29.07.2026

Today is fixed for ex-parte hearing.

The Ld. Advocate of the petitioner files hazira along with written affidavit in chief of the petitioner along with some documents by way of firisty. Let these be kept with the record.

The Ld. Advocate of the O.P files W/S, ex-parte vacate petition, delay condonation along with acceptance of W/S today itself. Let these be kept with the record.

Now, the record is taken up for hearing of the above mentioned petitions.

Ld. Advocate for the O.P prays for hearing the petitions dated 29.07.2026 for vacating the order of ex-parte passed against him on 24.11.2025 vide order no.04.

The Ld. Advocate of the petitioner raises strong objection and submits that let the same be allowed with exemplary cost.

The reason assigned by the O.P for delayed filing of W/S appears to be sufficient and as such the delay is hereby condoned. Considering that one further opportunity to contest the case to the O.P under the provision O.9, R.7 of CPC shall facilitate its proper and effective adjudication of the case for the ends of justice.

On perusal of the case record, it is found that the O.P appeared before this Court on 22.08.2025 vide order no. 3 and the suit ran ex-parte against the O.P vide order no.04 dated 24.11.2025. Therefore, for the ends of justice, the ex-parte vacating petition along with other petitions dated 29.07.2026 are hereby allowed.

Accordingly, the written statement filed by the O.P is hereby accepted provisionally on payment of cost of Rs.1000/-.

Hence, it is

Ordered

that the written statement dated 29.07.2026 filed by the O.P is hereby accepted provisionally on payment of cost of Rs.1000/-.

Fix **29.09.2026** for final acceptance of W/S filed by the O.P on payment of said cost.

D/C by me,

Civil Judge (Jr. Divn.), Kalna

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