

C.N.R No- WBBD16-010465-2022

Order dated 09.06.2023:-

Today is fixed for interim hearing.

Petitioner is present by filing hazira.

Ld. Advocate for the respondent takes step.

Ld. Advocate for the respondents files a petition for waving the cost of Rs. 10,000/- which was imposed upon O.P no. 1 vide order dated 26.04.23.

Heard both sides.

Ld. Advocate for the petitioner raises strong objection.

On perusal it appears that cost of Rs. 10,000/- was imposed upon O.P no. 1 as Condition Precedent by giving him an opportunity to contest this case.

Considered.

I am not inclined to allow this petition.

Hence, this petition be rejected.

At this stage O.P no. 1 pays cost of Rs. 10,000/- to the petitioner.

Let the money receipt be kept with the record.

Ld. Advocate for the O.P no. 1 files affidavit of assets, income and liabilities.

Let it be kept with the record.

Ld. Advocate for the O.P further submits that he has not received the copy of application u/s 12 of P.W.D.V Act.

Ld. Advocate for the petitioner submits that the notice along with copy of applicaton u/s 12 of P.W.D.V Act was duly served upon the respondent to which he refused to receive.

On perusal I find that the notice along with copy of application u/s 12 of P.W.D.V Act is lying with the record.

For the interest of justice, respondents are at liberty to get the notice along with copy from this record after making necessary endorsement.

As per resolution of Local Bar no adverse order is passed today.

To 11.08.23 for interim hearing positively.

S/C, W.O by the O.P, if any, in the meantime.

D/C by me,

Judicial Magistrate
3rd Court, Asansol,
J.O Code WB- 01159

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