

Title Suit No. 89 of 2025

CIS No. 89 of 2025

CNR No. WBBK07-00149-2025

Present : Sri Tanumoy Karmakar (J.O. Code: WB01209)

Order no. 09

Dated 02-06-2026

Today is fixed for appearance of defendant no.6 and W.S. by defendant no.7 to 12, i.d., ex parte against defendant no.7 to 12.

Memorandum of appearance filed by the plaintiffs and defendant no.7 to 12.

Defendant no.1 appeared today. Ld. Counsel Mr. S.N. Ghosh filed *vakalatnama* on behalf of defendant no.1 and the same is kept with the record.

Ld. Counsel on behalf of the defendant no.1 filed show-cause petition and petition for vacating *ex parte* order. Defendant no.1 also filed W.S. including two applications under Section 151 of the CPC with a prayer to accept the reply to show-cause and acceptance of W.S.

The copy of W.S., reply to show-cause along with application for acceptance of W.S. were served to the Ld. Counsel for the plaintiffs.

Perused the reply to show-cause and it is found quite satisfactory.

Although the instant suit is proceeding as *ex parte* against defendant no.1, but considering the rule of natural justice, especially when the defendant no.1 is trying to contest the suit by filing W.S., I find that chance can be given to the defendant no.1.

Thus, reply to show-cause advanced by defendant no.1 is accepted with a cost of Rs.2,500/- to be paid in favour of SDLSC, Bishnupur, Bankura and in a sequel of this order the application for acceptance of W.S. is also allowed.

Hence, the W.S. is provisionally accepted subject to the payment of cost on the next date.

Accordingly, the order fixing the instant suit as *ex parte* in respect of defendant no.1 is hereby vacated.

Thus, the applications filed under Section 151 of the CPC are hereby allowed and disposed of.

Defendant no.6 is absent today.

However, in view of resolution of local Bar Association, Bishnupur, no adverse order is passed today.

Ld. Counsel on behalf of defendant no.7 to 12 filed W.S. along with one application under Section 151 of the CPC with a prayer to accept the W.S. as it has not been filed within the stipulated period of time. One reply to show-cause was also filed as they filed to file any W.S. within stipulated period of time.

I have perused the show-cause petition and it is found quite satisfactory.

Moreover, considering the rule of natural justice, especially when defendant no. 7 to 12 are trying to contest the suit by filing W.S., I find that chance can be given to defendant no.7 to 12.

Thus, the application filed under Section 151 of the CPC is allowed on contest.

The W.S. be kept with the record.

The copies of W.S. were served to the Ld. Counsel for the plaintiffs.

Fix **01-08-2026** for filing receipt showing payment of cost in favour of SDLSC, Bishnupur, acceptance of W.S. filed by defendant no.1, 7 to 12 as condition precedent and appearance of defendant no.6.

Let a copy of this order be forwarded to the Ld. Chairperson, SDLSC, Bishnupur, Bankura for his information.

Update CIS accordingly.

Dictated & Corrected by me.

Civil Judge (Sr. Divn.), Bishnupur

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