

Title Suit No. 09 of 2017

CIS No. 15 of 2017

CNR No. WBBK07-000016-2017

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

Order no. 58

Dated 06-01-2025

Today is fixed for W.S. by defendant no.1 to 5, excepting defendant no.4 and SR in respect of defendant no.4, 9 & 11.

Memorandum of appearance filed by the plaintiffs.

On careful scrutiny of the case record it appears that the instant suit is proceeding as *ex parte* against defendant no.2, 3 & 5, but inadvertently the last order was mentioned as W.S. by defendant no.1 to 5, except W.S. by defendant no.1.

Accordingly, the previous order is partly modified by invoking provision as laid down under Section 151 of the CPC.

Today defendant no.1 takes no step.

It appears from the case record that defendant no.1 lastly appeared in this suit on 24-06-2019, but thereafter the defendant no.1 neither filed steps nor filed any W.S.

Considering such conduct of defendant no.1, I have impediment to fix the instant suit as *ex parte* against defendant no.1.

It is pertinent to mention here that SR has not been received yet in respect of defendant no.4, 9 & 11.

Accordingly, plaintiffs are strictly directed to file fresh requisites in respect of defendant no.4, 9 & 11 in the meantime.

To **27-03-2025** for SR & AD in respect of defendant no.4, 9 & 11.

Update CIS forthwith.

Dictated & Corrected by me.

Civil Judge (Sr. Divn.), Bishnupur

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