

In the court of Additional Sessions Judge, 3rd Court, Sadar, Cooch Behar.

MACC 02/2024
CNR No. WBCB01-000048-2024

Present: Sri. Rudra Prasad Ray, ADJ, FTC, Cooch Behar.

Order No. 12
Dated 08-01-2025

Today is fixed for exparte hearing.

Lawyer's hajira is filed on behalf of the petitioner.

Lawyer's hajira is filed on behalf of the respondent no. 2 also.

Respondent no. 2 files a verified petition praying for vacating the order of exparte hearing of the instant suit on the ground stated therein. W/S has also been filed along with the said petition. Copy of the petition and copy of W/S have been supplied to the petitioner by the respondent no. 2.

The petition is taken up for hearing.

Heard Ld. Advocate on behalf of the respondent no. 2 at length with regard to the petition praying for vacating the order of exparte hearing of the instant sui. Having heard the plea of Ld. Advocate representing respondent no. 2, I am inclined to allow the said petition. Accordingly, the petition praying for vacating the order of exparte hearing of the instant suit is allowed. The order of exparte hearing of the instant suit is hereby vacated and W/S filed by OP no. 2 is accepted.

OP no. 2 files another petition for non-maintainability of the claim. Copy of the said petition is supplied to the petitioner. Let the said petition be kept with the record today.

This court is lying vacant. I am in charge of this court.

Fix 10.02.25 for hearing of the petition, W/O if any, in the meantime.

Dictated & Corrected,

Addl. Sessions Judge, I/C
3rd Court, Cooch Behar

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3rd Court, Cooch Behar
J.O. Code No. WB00899