

**M.S. No. 155 of 2018 (CNR WBCC01-001348-2018)**  
Present:- Sri S. Dasgupta, Judge, (J.O. Code WB01246)

**Order No. 30 / dt. 11.11.2025**

Today is fixed for hearing all the petitions filed by the plaintiff and the defendant.

The plaintiff files hazira along with two affidavits-in-opposition against the application u/s 151 of the CPC. and the application filed by the defendant for vacating the order fixing the instant case for exparte hearing, both filed by the defendant. Let the same be kept with the record.

The defendant files hazira along with an application for amendment of the petition for vacating the order fixing the instant case for exparte hearing. Let the same be kept with the record.

The application u/s 151 of the CPC dated 24.06.2025 and the application for amendment of the petition for vacating the order fixing the instant case for exparte hearing are taken up for hearing.

Heard Ld. Advocates for both sides. Perused both the petitions and the materials on record.

Both the petitions are misconceived.

Hence, both the petitions are considered and rejected, and accordingly disposed of.

Now, the petition for vacating the order fixing the instant case for exparte hearing is taken up for hearing.

Strong objection raised by the plaintiff.

Heard Ld. Advocates for both sides. Perused the said petition and the materials on record.

For the ends of justice, the said petition is considered and allowed, subject to payment of cost of Rs.10,000/- (C.P.) to the plaintiff. Let the Order No.23 dated 22.08.2024 be vacated.

The said petition is accordingly disposed of.

Fix 08.01.2026 for evidence and for filing payment receipt.

D/c by me,

Sd/-

Judge, Bench-III,  
City Civil Court, Calcutta.

Sd/-

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City Civil Court, Calcutta.