

Order 30
08.02.22

Parties file hazira through their Ld. Advocates. Today is fixed for exparte hearing.

Ld. Advocate on behalf of the defendant submitted before this court that he had no knowledge about the filing of this suit. After a proceeding before the Hon'ble court he came to know about the suit and the suit property is a godown one. So he had not received all the summons. So he prayed for setting aside the exparte order and acceptance of W/S.

Ld. Advocate for the plaintiff submitted before this court that the suit is already posted for exparte hearing. So at this stage W/S cannot be accpeted.

Heard the Ld. Advocate. Perused the application filed by the defendant for showcause and for acceptance of W/S. It appears that the application for acceptance of W/S is not supported by a court fee. So the defendant is directed to submit a court fee in respect of the application. However, in considering the fact that the W/S has allready been filed and the copy of the W/S has already been received.

Considering the entire circumstances it is better to hear out the instant suit as contested matter considering the same. W/S of the defendant is accepted.

Fix 05.04.22 for injunction hearing. W/O if any in the meantime.

D/C by me

Judge

Judge 5th Bench