

**Title Suit 1086 of 2018**

**Present: Sri Subhash Kumar Kar, Judge, Bench-V (WB00592)**

**Order No. 42 / Dated 28.04.2025**

Parties have taken their respective steps.

Date is fixed for hearing of the petition dated 08.01.2025.

Ld. Advocate appearing for the defendant filed fresh verified petition and prayed to not press the petition dated 08.01.2025.

The prayer is allowed and the petition dated 08.01.2025 stands rejected being not pressed.

Heard both sides on the petition filed by the defendant for recalling the order dated 20.11.2024 and to permit the defendant for further cross examination of the P.W.1

On perusal of the record, it appears that on 20.11.2024 the case was fixed for further cross examination of the P.W.1 and owing to the absence of the defendant nos. 1 to 4 further cross examination of the P.W.1 was closed being deemed to be declined to cross examine the P.W.1.

On perusal of the petition, it appears that defendants could not take any step for mistake of their Ld. Advocate made in his claim.

However, having regards to the submissions made by both sides the order dated 20.04.2024 is recalled and the defendant nos. 1 to 4 are permitted for further cross examination of P.W.1; but subject to payment of cost of Rs.1000/-.

Fix 16.06.2025 for further cross-examination of the P.W. 1 and for payment of cost.

D/c by me,

Judge.

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