

Ejectment Suit 6 of 2022

Present: Yasmin Fatma, Judge, Bench-XII (WB 00050)

Order No. 15

Dated: 31.08.2024

Today is fixed for hearing petition U/O 7, Rule 11 read with Section 151 of C.P.C. One adjournment application has been filed that Ld. Senior Advocate is not present in town so it is not possible for him to participate in hearing.

Considered.

On perusal of the record, I have found that application U/O 7, Rule 11 read with Section 151 of C.P.C was actually filed before this Bench/Court on 16.01.2023. Though, date was also fixed for filing of written objection & written statement by the defendant, that has not been filed till date by him.

Since 16.01.2023, ten (10) dates have already been fixed for hearing this single application U/O 7, Rule 11 read with Section 151 of C.P.C. which could not be completed either on this ground or that ground. So, one last chance is given to the defendant side to complete their submission with respect to this application, in default application U/O 7, Rule 11 read with Section 151 of C.P.C. will be rejected without providing any further opportunity to take part in the hearing.

In Order no: 08, dated: 16.10.2023, this Court imposed costs of Rs. 1,500/- (C.P.) and also mentioned that filing of application U/O 7, Rule 11 read with Section 151 of C.P.C. and not moving the same before the Court, is not tolerable and on that day itself, this Court made it clear that if no hearing takes place on 20.02.2024, the petition U/O 7, Rule 11 read with Section 151 of C.P.C. will be rejected. Despite it, till date, the defendant side failed to complete their hearing and again on this day adjournment application has been filed.

On 23.08.2024, one application has been filed by one Sri. Ganga Prasad Jhawar with the help of a put-up application who prayed before the Court to be added as defendant in the instant suit.

Let the application be kept with the record for hearing.

Fix **16.12.2024** for hearing over the applications U/O 7, Rule 11 read with Section 151 of C.P.C. along with application U/O 1, Rule 10(2) read with Section 151 of C.P.C.

Written objection, if any, in the meantime.

Dictated & Corrected by me.

Sd/-
Judge, Bench-XII
City Civil Court, Calcutta

Sd/-
Judge, Bench-XII
City Civil Court, Calcutta

