

T Suit - 1102/22CNR:WBCC01-005178-2022)

Present: Sri Jayanta Koley, Judge, Bench-II. (WB00562)

Order 15

03.08.23

Today is fixed for P.hearing of the suit as last chance and for filing receipt for payment of cost.

Defendant nos. 1 to 3 and defendant no 4 file separate haziras. Plaintiff files a petition praying for adjournment of P.hearing of this suit on the ground that he will file an application u/o 26 Rule 9 CPC. Copy has been served. Strong objection has been raised.

Plaintiff also files receipts showing payment of cost to each set of defendants in terms of earlier order.

Heard the Ld. Advocates for both the sides. It appears that since 17.9.22, when the suit was first posted for P.hearing, several dates elapsed and on all the occasions the P. Hearing of the suit could not be commenced due to prayers for adjournment sought for by the plaintiff on every occasion. Accordingly on the last occasion on 23.6.23 the prayer for adjournment filed by the plaintiff was allowed as last chance with cost. No application u/o 26 Rule 9 has as yet been filed by the plaintiff.

In view of the above position, the prayer for adjournment is considered and rejected. Parties are directed to get ready for commencement of P. Hearing of the suit.

D/C by me

Judge 2nd Bench

Judge 2nd Bench

Later

After passing of the above order, the plaintiff files another petition praying for adjournment on the ground of taking proper steps. Copy has been served. Objection has again been raised.

Upon hearing the Ld. Advocates for all the parties and considering the conduct of the plaintiff as disclosed in today's earlier order, the prayer for adjournment filed by the plaintiff is again rejected.

Plaintiff is directed to showcause by 11.09.23 as to why the suit shall not be dismissed.

D/C by me

Judge 2nd Bench

Judge 2nd Bench