

M.R. Case no. 79/2024 (CIS 14/2024)

WB 01110

Order No. 17 dated 28.10.2025

Today is fixed for ex-parte hearing.

The Petitioner is present with her Ld. Advocate.

Today the O.P. appeared by filing v-nama along with a petition praying for recalling the order of ex-parte hearing and allowing him to contest the case.

Ld. Advocate for the O.P., submitted that O.P. is willing to contest the case by filing W/O.

Heard.

It appears from the record that as per track consignment report that the notice was delivered to the O.P. on 16.08.2025 and this case is pending since 2024.

However, in order to adjudicate the matter in presence of the parties, the opposite party should be given an opportunity to the accused person to be heard.

However, for the delay a cost to be imposed to compensate the same.

*Hence, the prayer for the O.P. is **allowed**.*

The O.P. is allowed to contest the case subject to the payment of cost of Rs. 2000/-

*Fix **19.11.2025** for filing W/O in respect of interim petition and asset declaration as well as the main petition u/s 144 of BNSS and same will be accepted if the cost is paid and hearing of the interim petition.*

D/c by me,

-S/d-

CJM, Kalimpong.

-S/d-

CJM, Kalimpong.