

## In the Court Ld. CJSD, Kurseong.

Present : Md. Ruknuddin,  
CJSD, Kurseong. (J.O. Code – WB00978)

Ref. Case No. O.C. No.01 of 2024 (CIS 01 of 2024)  
CNR No.WBDJ170000382024  
Himati Wiaba Vs. Vinamra Gornka

Order No.06  
20.09.2024

Present : Plaintiff with Ld. Counsel.

Today is fixed for hearing of petition and exparte hearing.

Defendant is absent and without any step.

On repeated calls, none appears for the defendant.

On perusal of the record, I find that the defendant filed application under order 9 Rule 7 CPC and section 151 of CPC on 17.08.2024 by way of put up petition but the defendant has not filed any written statement and the suit was set exparte against defendant vide order no.2 dated 28.06.2024.

So, the petition of the defendant under order 9 Rule 7 CPC and section 151 of CPC dated 17.08.2024 is rejected as none moved and as misconceived.

Later:

Ld. Counsel for plaintiff files affidavit-in-chief of PW1.

PW1 is examined partly.

Ld. Counsel for plaintiff files an adjournment petition and prays for time.

I have heard the submission, perused the petition and case record. Considered.

Adjournment petition of plaintiff is allowed as last chance.

To **28.10.2024** for further exparte hearing (evidence).

Dict. & corrtld.

by me :

CJSD, Kurseong.

( Md. Ruknuddin )  
CJSD, Kurseong.