

Order No. 18 dated 21.3.25

Today is fixed for S.R. of respondent No. 2

Appellant and Respondent No. 1 file their respective haziras.

Reply to the interrogatories is found filed today by the respondent No. 1 although the prayer of the appellant for serving interrogatories was considered and dismissed on the last date. Let the said reply be just kept with the record without any consideration.

No S/R is found received on this day.

The record speaks that requisites were filed in this case by the appellant on only one occasion on 28.4.22 and that too, only through court for service of the notice of this appeal upon the respondent No. 2 and thereafter no fresh steps have been taken by the appellant to serve the notice of this appeal upon respondent No. 2.

It is apparent from the record that the appellant is not diligent in pursuing this appeal due to which this appeal is not ready for hearing. As such, the appellant is directed to take fresh steps on the next date i.d. the instant appeal would be dismissed for default.

To 12.06.2025 for fresh steps by the appellant as last chance.

Dict. & corr. By me.

Sd/-
Addl. District Judge, 2nd Court,
Serampore, Hooghly.

Sd/-
Addl. District Judge, 2nd Court,
Serampore, Hooghly

Title Appeal – 33/2023

J.O. Code No. WB01302

Order No. 12 dated 21.3.25

Today is fixed for hearing of the petition filed by the respondent No. 1 to 3.

Both sides file hazira.

The record is now taken up for hearing and order.

Ld Advocate for the respondent No. 1 to 3 moved the said petition and submitted that the cost of Rs. 2000/- which was to be paid by the appellant to the respondent Nos. 1 to 3 have not been paid by the appellant in full and that only half of the said amount i.e. Rs. 1000/- have been paid by the appellant to them and the other half i.e. Rs. 1000/- has been wrongly paid by the appellant to the respondent No. 3. He prayed for allowing the said petition and passing of direction upon the appellant to pay an additional amount of Rs. 1000/- to the respondent Nos. 1 to 3 as balance cost by the next date.

Ld Advocate for the appellant raised objection and submitted that there was no specific direction upon the appellant to pay the entire costs of Rs. 2000/- to the respondent Nos. 1 to 3 and so the appellant has rightly paid part of the costs to the respondent Nos. 1 to 3 and the remaining to respondent No. 4.

Ld Advocate for the respondent No. 4 also raised objection against the said prayer and submitted that the said respondent was present before this court on the date costs was levied upon the appellant by this court.

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Heard all the sides. Perused the record. Considered.

Appeal is found to be ready for hearing.

Call for TCR at once.

To _____ for hearing of the appeal subject to receipt of TCR.
Dict. & corr. By me.

Addl. District Judge, 2nd Court,
Serampore, Hooghly.

