

Order No. 10 dt. 11.5.26

Today is fixed for hearing of the petition for setting aside ex parte hearing.

Both sides have filed hazira.

The record is now taken up for the hearing of the said petition filed by the respondent on the last date.

Ld Advocate for the respondent while moving the said petition submitted that the respondent could not appear on 17.7.25 after receiving the summons of this suit as he being an illiterate person did not know the law of the land that he is required to appear in this suit when the petitioner has filed a case against him.

Ld Advocate for the petitioner stated that necessary order be passed upon the said petition of the respondent.

Heard both the sides. Perused the petition and record. Considered.

It appears that there is no intentional laches on the part of the respondent in not appearing or taking steps on the date fixed. However, the respondent has filed his written statement after more than 120 days after receiving the summon of this suit. Hence, the said prayer is allowed with costs of Rs. 2000/- (two thousand) which must be paid by the respondent to the petitioner on or before the next date. The order for fixing the matter for ex parte hearing passed on 17.7.25 is hereby set aside and the matter is now restored back from ex parte board to the regular board with compliance of the above costs.

To 03.7.2026 for payment of costs by the respondent.

Dictated & corrected by

Sd/-

Addl. District Judge, 2nd Court,
Serampore.

Sd/-

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Serampore.

