

Misc. Case No.131 of 2024
CNR No. WBHW01-000082-2024
Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No. 08,
Dated : 08.09.2025

Today, the date is fixed for hearing of the petition dated 12.06.2025.

Petitioner files hazira through Ld. Advocate.

Respondent files hazira through Ld. Advocate.

Ld. Advocates of both sides are present.

Now, the case record is taken up for hearing of the ex parte vacating petition dated 12.06.2025

Ld. Advocate for the respondent / opposite party submits that the date i.e. 12.03.2025 has been fixed for filing written objection by the respondent / opposite party and on that date, the respondent / opposite had appointed a new Ld. Advocate to conduct her case, but as the earlier Ld. Advocate was unable to hand over the brief copy to the newly appointed Ld. Advocate, the written objection could not be prepared and submitted on that date. Accordingly, this case was fixed for ex parte hearing rejecting the prayer for time, filed by the respondent / opposite party. It was unintentional laches on the part of the respondent / opposite party. It is further submitted that she has already filed written objection along with this ex parte vacating petition. Accordingly, he prays for passing necessary order.

Heard. Considered.

Contd.....

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[Continuing Order dated 08.09.2025]

Perused the case record, wherefrom, it appears that 12.03.2025 was fixed for filing written objection by the respondent, but as the statutory period of filing written objection is over, this Court has passed the order of ex parte hearing of this suit.

Under the above facts and circumstances and considering the cause shown by the respondent/wife, I am of the considered view that an opportunity should be given to the respondent/wife to contest the suit.

Hence, the cause, submitted by the respondent/wife is accepted and accordingly, the prayer for vacating the order of ex parte hearing is hereby allowed by recalling the order being No.06, dated 12/03/2025.

Accordingly, written objection, filed by the respondent is accepted.

Fix 18/12/2025 for hearing of the Misc. Case.

Dictated & Corrected by me.

A.D.J, 1st Court, Howrah.

Additional District Judge,
1st Court, Howrah.