

**Title Appeal 62 of 2019**

**Order No.35 Dated 10.12.2025**

Today is fixed for exparte hearing of appeal.

Appellant has filed hazira.

On the other hand respondent has filed reply to show cause and vacatig exparte orderp supported by an affidavit along with fresh vokalotnama.

Heard Ld. Advocate on behalf of the appellant as well as the respondent.

Ld. Advocate on behalf of the appellant raised strong objection.

Perused the materials on record that the answering respondent is intending to contest the case and he is entitled to get an opportunity to contest the instant case.

Therefore I am on opinion that the insitant petition filed by the respondent for vacating exparte order is allowed for proper adjudicate the case.

Showing cause is sufficient and accepted.

Hence it is **ordered**

that the petition for vacatiing exparte order filed by the respondent is allowed on contest subject to payment of cost of Rs. 1000/-.

Fix. **08.01.2026** for hearing of appeal and payment of cost Rs.1000/- by the respondent to the Appellant.

**Dictated & Corrected by me**

**Addl. Dist. Judge  
3<sup>rd</sup> Court , Howrah**