

Title Suit No. 28 of 2021

Order No. 35 dated 11.06.2024

Today is fixed for clarification of ex parte vacating petition.

Defendant Nos. 1 to 8 filed hazira.

Petitioner filed hazira along with a petition for extension of ad interim order of injunction.

Ld. Advocate for the defendant No. 8 submitted that the defendant was unable to procure the documents necessary for conducting the case. He cannot communicate that the Ld. Advocate. This was the reason for not filing the W.S. by the defendant.

Now the defendant prays for vacating the order of *ex-parte* hearing and be allowed to contest the suit.

Ld. Advocates for the Plaintiff vehemently objected the said prayer and submitted that there is no scope of consideration of the present application.

Heard both sides. Having considered the fact that the defendant should not be remained unheard on the way of natural justice this Court finds that the present application deserves to be allowed.

Hence, it is

ORDERED

That the application for vacating the ex-parte Order filed by the defendant No.8 is hereby allowed on contest with a cost of Rs.200/-. W.S. is hereby accepted.

To 14.08.2024 for hearing of injunction application.

Ad interim order of injunction is hereby extended till date.

Dictated & Corrected by me

CJ

Civil Judge, (Jr. Divn.)
Amta, Howrah