

Title Suit No. 44 of 2023

Order No 12 dated 06.03.2025

Today is fixed for ex parte hearing of the injunction application.

Plaintiffs filed hazira along with an application for extension of ad interim order of injunction.

Defendant Nos. 1 to 5 filed hazira along with an application for vacating the ex parte order and also show cause and acceptance of WS. Defendant also filed W.S.

Ld. Advocate for the defendant 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 Nos. 1 to 5 is hereby allowed on contest with a cost of Rs.200/-. W.S. is hereby accepted.

To **04.06.2025** for injunction hearing.

Ad interim is extended till date.

Dictated & Corrected by me

CJ

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