

Title Suit No. 16 of 2023

Order No. 16 dated 10.02.2025

Today is fixed for hearing of petition for setting aside ex parte order, show-cause and acceptance of written statement filed by the defendant Nos. 1 &2.

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

Defendants filed hazira.

Ld. Advocate for the defendant submitted that the defendant was not present in the Court on the day fixed and as such. 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 and 2 is hereby allowed on contest with a cost of Rs.500/-. W.S. is hereby accepted.

To 10.04.2025 for hearing of injunction application.

Ad interim is extended till date.

Dictated & Corrected by me

CJ

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