

Title Suit No.01 of 2023
C.N.R. No. WBJP01-004570-2023

Order No. 18, dated – 12.09.2025.

Today is fixed for filing reply to show-cause by plaintiffs.

Hajira has been filed on behalf of the plaintiffs as well as contesting defendants No.3 through their respective Ld. Advocate.

One reply to show-cause has been filed by the plaintiffs without any verification. Copy of which has been served upon the Ld. Advocate appearing on behalf of the defendant No.3 and the same has been received with objection.

Now reply to show-cause as filed on behalf of the plaintiffs is taken up for consideration.

The same is heard and considered.

Upon perusal of the reply to show-cause and considering the submission of the Ld. Advocate for the petitioner and considering the record, it appears to this Court that causes as shown in reply to show-cause for not taking steps on the date fixed i.e. on 05.07.2025 appears to be bonafide and there is no deliberate latches or negligence on the part of the plaintiffs, save and except technicality issue as raised by the Ld. Advocate appearing on behalf of the defendant No.3, since the reply to show-cause is not supported by verification.

In view of that, this Court is inclined to accept the reply to show-cause and accordingly, the same is accepted as filed by the plaintiffs.

On the basis of submission of the Ld. Advocate appearing on behalf of defendant No.3, this Court is inclined to take another petition dated 25.07.2024 for consideration.

The petition is heard and considered.

Upon perusal of the petition and after going through the record and considering the submission of the Ld. Advocate for the respective side, this Court is inclined to grant leave to the defendant No.3 to file written statement on the next date positively.

Ld. Advocate appearing on behalf of the plaintiffs is directed to supply relevant relied upon documents upon the defendant No.3, if the same has not been served.

Accordingly, the petition stands disposed of.

Upon perusal of the record, it appears to this Court that already the suit is being proceeded ex parte against defendant No.2

In spite of taking steps today, none appears on behalf of defendant No.1.

Upon perusal of the record, it appears that steps should be taken on behalf of the plaintiffs for service of summons upon defendant No.4.

Ld. Advocate appearing on behalf of plaintiffs is directed to take steps upon defendant No.4.

Fix 24.11.2025 for filing W.S. / W.O. by the defendant No.1 and 3 and also S.R. & AD in respect of defendant No.4.

Requisites be filed by the plaintiffs in the mean time.

Dictated & Corrected by me

District Judge, Jalpaiguri
(WB01135)

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