

MACC 84/22 (CIS 84/22)

Order dated 16.01.2025

Today is fixed for framing of issues

Both the petitioner and OP files appearance through Ld. Counsel.

The issues are framed in separate sheet and kept along with the record.

Today the Ld counsel for OP No. 2 submit that on 27.11.2024, the OP No. 2 had filed first legal appearance. However, the case is being proceeded exparte against him.

Now it appear that on 27.11.2024 the suit has been fixed for exparte hearing against OP No. 2 since at the time of hearing no steps of the OP No. 2 could be found and none move the record for OP No. 2. However now it appear that the legal appearance OP No. 2 was not properly placed in the record by the dealing assistant of this court. Thus inadvertently the case was fixed for exparte hearing against OP No. 2.

Considering the above aspect the OP No. 2 is allowed to contest the suit.

Fixing 20.03.2025 for P. Hearing.

Dictated & Corrected by me,

Addl. Dist. & Sessions Judge,
FTC-I, Alipurduar.

Additional Dist. & Sessions Judge,
1st Fast Track Court, Alipurduar.