

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK 1ST COURT, LALBAGH, DISTRICT- MURSHIDABAD.

Present : **Mr. Salim Ahmed Ansari,**

MACC – 21/2021 (04/2017).
C.N.R No. - WBMD05-000125-2021

Order No.25, dated 16.02.2023.

Petitioner's hazira is filed.

Neither the petitioner nor the petitioner's lawyer is present.

Today date is fixed for PH. No examination-in-chief on affidavit by invoking Order 18 Rule 4 CPC has been filed. The record divulges that three dates have been elapsed. When the petitioner fails to appear on the date fixed for evidence, the Order 9 Rule 8 of CPC is attracted. When both parties fail to appear at the hearing then the Order 9 Rule 3 is attracted. This is the admitted position of Law.

However, the petitioner is given as a last chance to start evidence by filing examination in-chief on affidavit on the next date by supplying copy to the other side with her presence.

The case is adjourned for the sake of justice.

To 12.05.2023 for PH.

Additional District Judge,
1st Fast Track Court,
Lalbagh, Murshidabad.
JO Code : W.B.00713

MACC-04/2018

Issues

- 1) Has the petitioner cause of action of this suit ?
- 2) Is the suit/petition maintainable in its present form ?

- 3) Is the petitioner's claim as raised in petition bad for non-joinder and misjoinder of necessary parties ?
- 4) Is the petitioner entitled to get relief/reliefs if any ?

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