

P.S.- 824 of 2022
CNR No. WBMD06-000166-2022

Order No. 08/ Dtd. 27.06.2023.

Today is fixed for injunction hearing, ex parte of defendant no.6.
Defendants file Advocate hazira.
Plaintiffs have filed petition for extension of ad interim order of injunction.
Prayer of plaintiffs is considered and allowed.
Ad interim order of injunction is extended till date.
Plaintiffs filed petition u/O. 11, R. 2 CPC. dated 03.05.2023
The petition u/O. 11, R. 2 is taken up for hearing.
Heard both sides.
Perused the petition.

It appears that the Plaintiffs have filed the instant petition on the basis of the plea taken by the Defendant nos. 1-5 in their W.S regarding defect of parties and non inclusion of entire ejmali property.

This is a suit for partition. Having considered the aforesaid aspects, this court is of the view that the petition u/o 11 rule 2 of CPC is necessary to be allowed.

Hence, it is,

ORDERED

that the petition u/o 11 rule 2 of CPC filed dated 03.05.2023 by the Plaintiffs is hereby allowed on contest.

Petition for Notice to produce documents dated 03.05.2023 is allowed.

Defendant nos. 1-5 are directed to give reply to the interrogatories and also directed to produce documents as mentioned in the petition dated 03.05.2023.

To 28.08.2023 for reply to the interrogatories, injunction hearing, ex parte of defendant no. 6 and produce documents as mentioned in the petition dated 03.05.2023.

Dictated & Corrected by me.

Sd/- S.N (Paul)
CJ(Sr. Divn.), Lalbagh, Msd.
J.O. Code – WB1116.

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