

**In the Court of Civil Judge (Junior Division), Lalbagh, Murshidabad**

**Present :- Priyanka Shaw**

**(J.O. Code :- WB01283)**

**Eviction 03 of 2024**

**Order No 4 Dated 12.02.2025:-**

The record is place don the strength of a Put up petition.

Learned Advocate for the Defendant files W.S, petition under Section 7(1) (2) of WBPT Act and a petition for ex parte vacating petition along with fresh Vokatnama.

The Ld. Advocate on behalf of the defendant has prayed for vacating the ex parte order passed against them on the plea that the defendant could not abide by the order of this court as they did not knew About the case, so they could not take steps within stipulated time and the suit was fixed ex parte hearing and as such he prayed for vacating the ex parte order passed against him.

The Ld. Advocate on behalf of the plaintiff raises formal objection and prays for cost.

It appears that the suit has been fixed for ex parte against the defendant vide order dated 16.11.2024 in spite of getting several opportunities and at present the defendant by filing the instant petition intends to contest the suit. It appears that today he has file W/S. Accordingly, the ex parte vacating petition filed by the defendant is heard, considered and allowed on contest subject to cost of Rs. 500/- by defendant to the plaintiff.

Hence, it is,

**Ordered**

that the petition so filed today by defendant is hereby considered and allowed on cost of Rs. 500/- payable to the plaintiff.

Now the record ios atken up for the hearing of the petition under Section 7(1) of WBPT Act.

Learned Advocate for the Plaintiff did not raise any objection.

The Learned Advocate for defendant had appeared before this court and also filed petition under Section 7(1) of the West Bengal Premises Tenancy Act.

Defendant may file the same at his own risk.

To date (26/03/2025)

D/C by me

**Sd-/ Priyanka Shaw**

Civil Judge (Junior Division)  
Lalbagh, Murshidabad

**Sd-/ Priyanka Shaw**

Civil Judge (Junior Division)  
Lalbagh, Murshidabad