

Order dated 07.01.2025

The record is put up by petition.

The petitioner/plaintiff files a petition praying for hearing of petition u/o. 1 Rule 10 of CPC dated 14.7.23 on the ground of extreme urgency.

The attested photo copies of Aadhar card of the petitioner, death certificate of Motilal Deb and Dhruba Lal Deb have been annexed with the petition.

The original postal receipt along with track consignment have also been filed by the Ld. Advocate for the petitioner who intended to be impleaded as O.P to substantiate his contention with regard to due service of petition for adding of parties to the original petitioner through post.

Perused the same. It was contended by Ld. Advocate for the petitioner who is intended to be impleaded as O.P that the original petitioner has failed to appear before the court and contest the petition for adding of party despite getting golden opportunity to raise the objection, the petition should be heard without providing any further opportunity of being heard to the original petitioner.

The track consignment distinctly proves that the fact with regard to pressing the petition for adding of party on this day was brought to the knowledge of the original petitioner by duly delivering the copy of the same through post. However, none appears on behalf of the original petitioner on repeated call. It is now 1.15 P.M.

Having regard to the urgency of the matter and also giving thoughtful consideration with regard to due service of copy of petition for adding parties to the original petitioner through post, I do not find any reasonable justification in providing further opportunity to the original petitioner to contest the instant petition.

Accordingly, the record is taken up for hearing of petition u/o. 1 R 10 of CPC dated 10.7.23.

Heard Ld. Advocate for the petitioner (who intended to be impleaded as O.P.) at length.

To **10.01.25** for order.

The track report along with other copies of documents be kept with the record.

D/C by me

ADJ, 2nd Court, Barasat

Additional District Judge,  
2nd Court , Barasat, North 24 Parganas.