

Misc. Case (Act VIII) 14 OF 2023

U/s – 8 of Guardians and Wards Act 1890

(CNR No – WBNP06 – 002649 – 2023)

SRI UJJAL KUMAR DAS

– VS –

SRI LALIT MOHAN MAJUMDER

District :- North 24 Parganas

Court :- Additional District Judge, Court – II, Bongaon

Present : Sri Pradip Kumar Adhikary (JO Code – WB 00916)

Order No – 10
Dt. 13.05.2025

Today is fixed for filling Written Statement by the respondent and further order.

Petitioner is present in court today and files hazira.

Respondent files adjournment petition on the ground of mistake of date and prays for another date. It is now 2-20 PM. The case is called on for hearing repeatedly. But the respondent has neither appeared nor filed any Written Statement. No one moves the adjournment petition on behalf of the respondent.

On scrutiny of the case record it appears that on 24.02.2025 the case was fixed for exparte hearing since the respondent did not file Written Statement within the stipulated period.

Thereafter on 07.04.2025 respondent filed a petition for vacating the exparte order and the same was rejected since the Written Statement did not file by the respondent. Thereafter respondent filed a petition on the ground of illness of minor child and has prayed for an opportunity to contest the case. Considering the ground the prayer was allowed and another opportunity was given to the respondent.

Today again the respondent files adjournment petition but on repeated calls none moves the petition till 02-20 pm. Hence the adjournment petition is rejected as none moves.

Fix **05.06.2025** for Exparte hearing of the case.

D/c by me

A. D. J, Court – II
Bangaon, North 24 Parganas

Additional District Judge,Court – II
Bangaon, North 24 Parganas

Order No – 11
Dt. 05.06.2025

Today is fixed for exparte hearing of the case.

Petitioner is present in court today and files hazira.

Respondent files hazira. On call respondent is found absent. It is now 12-20 PM. The case is called on for hearing repeatedly. But the respondent has neither appeared nor filed any Written Statement. No one moves the matter on behalf of the respondent. The case is again called on for hearing at 01-15 PM. But no one appears on behalf of the respondent.

On scrutiny of the case record it appears that on 24.02.2025 the case was fixed for exparte hearing since the respondent did not file Written Statement within the stipulated period.

Thereafter on 07.04.2025 respondent filed a petition for vacating the exparte order and the same was rejected since the Written Statement did not file by the respondent. Thereafter respondent filed a petition on the ground of illness of minor child and has prayed for an opportunity to contest the case. Considering the ground the prayer was allowed and another opportunity was given to the respondent to contest the case by filling Written Statement.

Thereafter on 13.05.2025 respondent again in the same manner filed an adjournment petition on the ground of mistake of date and prayed for another date. The adjournment petition was rejected as none moved and case was fixed for exparte hearing.

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**Continue...
Order No – 11
Dt. 05.06.2025**

Respondent has given several opportunities to contest the case but he has not availed of the same.

In the above circumstances there is no other alternative but to further proceed with the case.

Accordingly case is taken up for exparte hearing.

Petitioner, Ujjal Kumar Das and his family friend Samim Almamun has tendered their respective examination-in-chief and they are examined in full as P.W – 1 and P.W – 2 respectively.

Fix **19.08.2025** for argument.

D/c by me

**A. D. J, Court – II
Bangaon, North 24 Parganas**

**Additional District Judge,Court – II
Bangaon, North 24 Parganas**