

**Ejectment Suit No. 47 of 2016**  
**C.N.R No. WBPS01-000121-2016**

**Order No.43**

**Dated 04.04.2024 :**

Today is fixed for bringing Order from the Hon'ble High Court, Calcutta. Plaintiff is present and files attendance. Defendant also files attendance through his Ld. Advocate and a petition with a prayer for adjournment on the ground that the application for revision is pending before the Hon'ble High Court, Calcutta. One print out of the case status obtained from the CIS is also attached with the adjournment petition.

On perusal of the record it appears that the suit has already been fixed on exparte mode against the defendant on 02.09.2022 vide Order No.38. That Order has not been vacated yet. So there is no question of acceptance of the attendance filed by the defendant. In spite of that the Ld. Advocate for the defendant was pestering the Court for adjourning the matter simply on the ground of pendency of the application for revision before the Hon'ble Court. At the same time he could not produce any Order of the Hon'ble Court staying the further proceeding of the suit. It further appears from the record that the defendant is taking adjournment on the same ground since the year 2022. This Court thinks that the suit can proceed accordingly as there is no Order of stay from the Hon'ble Court.

Accordingly the petition for adjournment is rejected.

Let the suit be fixed for exparte hearing.

The plaintiff is directed to come prepared for evidence on the next date.

Fix 14/05/2024 for exparte hearing.

Typed, Corrected and Printed by me.

Judge, Bench-4  
PSCC, Calcutta  
J.O Code WB01174

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