

Ej. Suit No. 67 of 2018
CNR No. : WBPS01-000187-2018

Order No. 40
27.01.2025

Today is fixed for showing cause by the defendants.

Plaintiff is present by filing hazira through their Ld. Lawyer.

On behalf of the defendant no. 2 has been filed a petition for seeking adjournment on the ground that the defendant cannot appear before this Court as he has not been keeping well.

Copy of the petition has not been served to the other side and as lying with the record.

Heard both sides.

The plaintiff strongly objected to the adjournment filed this day.

Heard both sides.

Perused the petition and other materials on record.

Considered.

It appears that on the last date the defendant was without any step as such he had been show caused as to why the adverse order should not be passed against him but this day also the defendant did not file any show-cause rather he has sought for adjournment on the ground of illness.

No medical documents has been filed in support of his prayer by the defendant.

The conduct of the defendant is that he is either negligent or is trying to delay the proceeding of the suit. Despite opportunity is being given to the defendant to contest the suit he is not being vigilant. Hence, there is no scope to grant further adjournments.

In view of the above, the petition filed this day is rejected. The suit be proceeded ex-parte against the defendant no. 2.

Fixing **06.03.2025** for ex-parte hearing of the suit.

Dictated and corrected by me:

Judge

Smt. Gladys Bomjan
(J.O. Code: 01039)
Judge, 3rd Bench
Presidency Small Cause Court,
Calcutta

