

Ej Suit 92 of 2023
WBPS01-000196-2023

Before: Smt. Glady Bomjan, Ld. Judge, 3rd Bench

Order No: 15

Date: 09-12-2024

Today is fixed for hearing of the hearing of the petition under Order 39 Rule 7 of the C.P.C filed by the plaintiff dt. 21.06.2024 and hearing of the petition under Order 6 Rule 17 of the C.P.C and the petition for fixing a date of hearing filed by the defendant dt. 29.07.2024. W/o if any, in the meantime.

Plaintiff files hazira and written objection against the petition under Order 6 Rule 17 of the C.P.C. Copy served.

Defendant files hazira.

Today, the petition filed by the defendant for fixing a date of hearing of the petition under Order 6 Rule 17 of C.P.C. is taken up for consideration.

Heard. Perused the petition and materials on record.

Considered.

On careful perusal of the case record, this Court of the view that prior to hearing of the petition under Order 39 Rule 7 of the C.P.C., the petition under Order 6 Rule 17 of the C.P.C. ought to be heard first.

Accordingly, the petition filed by the defendant dt. 29.07.2024 is hereby allowed.

The petition under Order 39 Rule 7 of the C.P.C. be kept in abeyance till the disposal of the petition under Order 6 Rule 17 of the C.P.C.

At this stage, defendant files a petition for adjournment on the grounds stated therein.

Heard. Prayer for adjournment is considered and allowed.

Fix **20-02-2025** for hearing of the petition under Order 6 Rule 17 of the C.P.C filed by the defendant dt. 29.07.2024.

Smt. Glady Bomjan
[J.O. Code: WB1039]
Judge, 3rd Bench
Presidency Small Cause Court,
Calcutta