

MISC. CASE :- 86 OF 2024
(CNR No. WBPS01-000350-2024)
(JO CODE No. WB01165)

Before Smt. P. Shukla, Ld. Judge, 2nd Bench.

Order no. - 163
Dt. 06.03.2026

Today is fixed for hearing of the recall petition dated 11.08.2025.

Both parties filed hazira.

Heard the application dated 11.08.2025 filed by opposite party.

Learned Advocate for opposite party, submitted that due to some inadvertent mistake the petitioner could not take step in the matter on the last occasion due to which the matter has been fixed in the exparte board though the petitioner took step in the execution matter.

He prays to taken off the record from exparte board and placed in regular board.

Petitioner has contested the same by filing written objection, wherein he has denied all the contentions of instant application and prays for passing necessary order.

Heard. Considered.

Relying upon the principle of 'audi altrem partem' and for proper adjudication of Misc. Case, the Court is inclined to allow the instant application.

Hence, it is

ORDERED

That the petition dated 11.08.2025 is allowed on contest with a cost of Rs.500/- by opposite party to the petitioner.

To 14.05.2026 for payment of cost of Rs.500/- by opposite party to petitioner and hearing of Misc. Case.

D/C by me.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.

Sd/-

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P.S.C. Court, Calcutta.