

Ej Suit 175 of 2020
WBPS01-000300-2020

Before: Smt. Sudipa Banerjee, Ld. Judge, 3rd Bench

Order no. 19

Date: 28-07-2023

Today is fixed for ex-parte hearing of the suit.

Plaintiff files a petition for adjournment on the grounds stated therein.

Defendant no 1 appears in the suit by filing vokalatnama, hazira and a petition for recalling the order of ex-parte hearing of the suit on the grounds stated therein.

On perusal of the vokalatnama filed by the defendant no 1 it appears that, 'Advocate's Welfare Stamp' has not been affixed on it.

Defendant no 1 is directed to file 'Advocate's Welfare Stamp' by next date positively.

Now, the petition filed by the defendant is taken up for hearing.

Heard. Perused the petition and materials on record.

Considered.

Record reveals that, on 15.05.2023, defendant took no step, as such this Court passed an order to fix the suit for ex-parte hearing vide order no 18 dt. 15.05.2023. Now, the defendant has come up with the instant application for recalling the order no 18 dt. 15.05.2023 and for taking off the suit from ex-parte hearing board.

Considering the facts and circumstances, this Court is of the view to give defendant an opportunity to contest the suit.

Accordingly, the petition dt. 28.07.2023 filed by the defendant no 1 is hereby allowed .

Let the suit be taken off from ex-parte hearing board. Order no 18 dt. 15.05.2023 is hereby recall to that extent.

Fix **25-09-2023** for hearing of the petition u/Section 7 (2) of WBPT Act filed by the defendant and filing 'Advocate's Welfare Stamp' by the defendant.

Sudipa Banerjee
(J.O. Code: WB 01148)
Judge,
3rd Bench,
Presidency Small Cause Court,
Calcutta