

**Ejectment Suit No. 424 of 2013 (Reg No. 5810 of 2014)**  
**C.N.R No. WBPS01-000493-2013**

**Order No.143**

**Dated 01.09.2025 :**

Today is fixed for argument by the plaintiff. The plaintiff files attendance through her Ld. Advocate.

One petition under section-151 of the C.P.C has been filed on behalf of the defendants with a prayer for recalling Order dated 20.08.2025 by providing a chance to the defendants for argument in the suit. The photocopies of the discharge summary of defendant no.2 are annexed with the petition.

Copy of the petition is served upon the plaintiff.

The said petition is taken up for hearing.

Heard the Ld. Advocates for both the parties.

The Ld. Advocate for the defendant submitted that defendant no.2 was discharged from the hospital on 30.08.2025 and thereafter he contacted with the Ld. Advocate and requested to proceed with the argument accordingly. So there was no willful laches or negligence on the part of the defendants in not arguing the suit.

On the opposite score the Ld. Advocate for the plaintiff raised strong objection against the prayer of the defendants and submitted that even if the Court allows the prayer of the defendants then it must be subjected to certain terms as the defendants already have taken several adjournments.

Perused the record.

Considered.

True that considering the conduct of the defendants on the previous dates and keeping in view the direction of the Hon'ble High Court, Calcutta vide its Order dated 05.09.2017 in C.O 2864 of 2017 to dispose of the suit as expeditiously as possible without granting adjournment to the parties, the argument of the defendants was closed by this Court on the previous date. However, as the defendants have come with the prayer for allowing them to argue the suit, this Court thinks that they should be given an opportunity.

Accordingly, the prayer for adjournment is allowed.

Now the record is taken up for hearing argument by the defendants.

Heard the argument for the defendants in part.

Ld. Advocate for the defendants verbally prayed for time for further argument in the suit.

The prayer is allowed.

Fix 12-09-2025 for further argument by the defendants.

Typed, Corrected and Printed by me.

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

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