

Ejectment Suit 324 of 2025.
(CNR No. WBPS01-000620-2025.

Before Smt Chandrani Mukherjee Banerjee Ld. Chief Judge.

03.

02/02/2026.

Today is fixed for S/R, A/D and appearance.

Plaintiff files hazira with postal registration receipt affixed on it along with photocopy of postal track report.

Today one 'Jhantu Charan Sadhukhan" appeared before the Court through his Ld. Advocate by filing vakalatnama claiming himself to be the defendant of the suit and files a petition along with photocopy of his Aadhar card praying for time for filing W/S on the ground stated therein.

Ld. Advocate for the defendant submitted that all summons of this case is written and sent by the plaintiff with ill motives since the name of the defendant is 'Jhantu Charan Sadhukhan" whereas in the Cause Title of the plaint, the name of the defendant is mentioned as " Sri Jhantu Sadhukhan ". The defendant is confused whether the instant suit has been filed against him or not and as such, not in a position either to file applications u/s 7(1) & 7(2) of W.B.P T Act or the Written Statement.

Against such submissions, Ld. Advocate for the plaintiff raised strong objection and submitted that the defendant has received the summons through postal mode and since then has got knowledge of the suit instituted against him . Besides in the copy of the plaint attached with the summons sent through postal mode, the name of father of the defendant as well as the boundary of the suit premises have been clearly mentioned, from which the defendant should not have any confusion regarding his name. The defendant is intentionally trying to take advantage of the circumstances.

Heard both sides. Perused the petition and materials on record.

Record reveals that as per bailiff report dt 24/11/2025, summons issued in the name of the defendant " Jhantu Sadhukhan " returned unserved from the address as mentioned in the plaint .

Neither any postal A/D or returned envelope has arrived.

The postal track report filed by the plaintiff also does not reveal anything specific regarding service.

Be that as it may, the appearance of the defendant is recorded today.

Let the matter be **transferred** to the Court of **Ld. Judge 3 rd Bench**, Presidency Small Cause Court for disposal.

Parties are directed to appear before the transferee Court on **(06/03/2026)**

Chief Judge.

J.O. Code WB 01130.

