

Ejectment suit 46 of 2024
(CNR No. WBPS01-000090-2024)
Before Sri. Ashutosh Kumar Singh Ld. Chief Judge.

07

19-09-2024

Today is fixed for hearing of petition filed by the plaintiff on 08-04-2024, w/o if any in the meantime. Defendant is required to file written statement within the prescribed period of limitation.

Record reveals that on 19-07-2024 defendant filed written statement on the strength of put up petition.

Plaintiff files hazira.

Defendant files hazira along with a petition u/s 151 of C.P.Code, on the grounds stated therein. Copy served.

On call Ld. Advocate for the defendant is found present.

On repeated calls none appeared on behalf of the plaintiff.

Heard Ld. Advocate for the defendant.

Perused the case record and materials on record. Where from it reveals that defendant has received the summons on 07-03-2024 and written statement filed on 19-07-2024. which is beyond the statutory period of limitation.

However in order to give the defendant a fair chance to contest the suit on merit, for ends of justice written statement filed by the defendant on 19-07-2024 along with the petition u/s 151 of C.P.Code filed by the defendant praying for condonation of delay for filing written statement are accepted but subject to payment of cost of Rs. 1,000/- payable by the defendant to the plaintiff.

Accordingly, this court finds that the suit is ready for trial. Let the case record be transfer to **Ld. 4th Bench P.S.C. Court, Calcutta**. Parties are directed to appear before the transferee court on **29-11-2024**. Defendant is directed to file receipt showing payment of cost before the transferee court.

Dictated & Corrected
by me

Chief Judge

Chief Judge
J.O. Code WB 01244