

Present: Subhra Som Ghosal  
J.O Code: WB00984  
MAC Case No: 925 of 2019  
CNR No: WBSP010151222019

**Order No. 14, dated: 31-01-2024**

The claimant/petitioner is present by filing hazira through his learned advocate.

As stipulated by the previous order today is fixed for P. hearing.

On call opposite parties and their learned advocates are found absent.

The Ld. Advocate for the petitioner submitted that the opposite parties are not appearing despite they have been duly served with the notice and hence the case may be fixed for ex parte hearing.

Perused the case record staying alive to the point raised and prayer advanced.

None appeared and none moved for the opposite parties.

In view of the laggardness axiomatic from the case record the case shall proceeding ex parte against the opposite party No. 01 and 02 or else the claim of the petitioner will be defeated by delay. Hence the case record is taken up for ex parte hearing.

Ld. Lawyer for the claimant / petitioner submitted that claimant /petitioner namely Sabir Gayen is present and he is willing to examine the claimant as a witness in this case.

Affidavit-in-chief on behalf of the witness Sabir Gayen has been filed by the Ld. Advocate for the petitioner following the modalities of Order 18 of the Code of Civil Procedure.

Hence the case record is taken up for ex parte evidence.

Sabir Gayen is accordingly examined in part as PW-1. The petitioner has proved three documents which are marked as Exhibit 01, Exhibit 02 collectively and exhibit 03.

At this stage on prayer for learned lawyer for the petitioner the examination-in-chief of PW-1 is deferred till next date.

Fix 22-03-2024 for further examination of PW-1.

Typed to the dictation directly;  
corrected on the system.  
Sd/-Subhra Som Ghosal  
Additional District and Sessions Judge,  
01<sup>st</sup> Court, Alipore,  
South 24 parganas.

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