

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

Order No. 15, dated: 22-03-2024

The claimant / petitioner as well as O.P No.02 are present by filing hazira through their learned advocate.

As stipulated by the previous order today is fixed for further examination of PW-01.

At this stage a petition has been filed on behalf of the O.P No.2 praying for vacating of ex-parte.

Perused the petition. Heard ld lawyer for the petitioner who raises no objection to the prayer. It has transpired from the case record that 31-01-2024 the opposite party No. 02 was absent despite they have been duly served with the notice and case has been fixed for ex parte. However, the cause shown for the absence in the petition appears to be rational, reasonable and sufficient. Moreover it will not be sagacious to throw out the entire case of the opposite party No. 02 without giving a reasonable opportunity to evince their challenge to the claim.

Hence it is ordered;

That the petition submitted by the O.P No. 02 is accepted.

At this stage Ld. Lawyer for the claimant / petitioner submitted that claimant /petitioner (PW-1) is present.

Hence the case record is taken up for further examination-in-chief of PW-01.

PW-1 is accordingly further examined-in-chief by learned Advocate for the claimant / petitioner in full. He is also cross examined by learned advocate for the O.P No.2 in full and discharged.

No other witness is present today. Hence the case is adjourned on this day.

To 04-05-2024 for further evidence on behalf of the claimant.

Typed to the dictation directly;
corrected on the system.

Sd/-Subhra Som Ghosal
Additional District and Sessions Judge,
01st Court, Alipore,
South 24 parganas.

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