

Present: Subhra Som Ghosal
J.O Code: WB00984
MAC Case No:1287 of 2023
CNR No: WBSP01-016232-2023

Order No.05, dated:05-06-2024.

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

As stipulated by the previous order today is fixed for acceptance of track report by O.P No.1 and filing of W/S by O.P-1.

None appeared on behalf of opposite parties.

It appears from the track report that service upon the opposite party No. 01 as well as O.P No.2 is satisfactory and can be treated as good service.

The Ld. Advocate for the Applicant submitted that the Opposite parties are not diligently proceeding with this case and they have not filed their written statement although sufficient opportunity was given to them. It was further submitted that today also the opposite party no.1 has not filed written statement and hence the case may be fixed for ex parte hearing against the opposite parties.

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

On perusal, it transpires that previously, the date was fixed for acceptance of track report and filing of WS by O.P No.1. In this case the opposite parties have not appeared on this date and they have not filed any written statement. Today the opposite party No. 01 is absent without any steps and no written statement has been filed by either of the opposite parties.

None appeared and none moved for the opposite parties.

In view of the laggardness axiomatic from the case record as well as the mandate of law as enumerated in Order V Rule 01 and Order VIII of the Code of Civil Procedure, the case shall proceeding ex parte against the opposite party No. 01 and 02 or else the claim of the petitioners will be defeated by delay.

To 22-07-2024 for ex parte hearing.

Typed to the dictation directly;

corrected on the system.

Sd/-Subhra Som Ghosal
Additional District and Sessions Judge,
1st Court, Alipore,
South 24 parganas.

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