

S.C.C. No. 200 of 2026
CNRWBSP07-000720-2026
(J.O.CODE WB01066)

Order Dated 04/06/2026

Today is fixed for ex parte hearing.

Plaintiff files hazira.

Now the record is taken up for ex parte hearing.

Plaintiff is examined as PW-1. In his evidence, Copy of Aadhar Card is marked as Exhibit 1 and the promissory note is marked as exhibit-2. No other witness is produced from plaintiff side. As such, ex parte evidence is closed.

Heard submission of Ld. Advocate appearing for the plaintiff.

Record is taken up for passing ex parte order.

It appears from the plaint as well as deposition of P.W-1 that the plaintiff gave a sum of Rs. 7,500/- to the defendant as accommodation loan on 08/05/2024 on a promise to repay the loan amount on demand. The plaintiff has filed this suit for recovery of the same. The evidence of P.W.-1 remains unchallenged. Lending money of Rs.7,500/- to the defendant by the plaintiff is proved from the promissory note (Exbit. 2). In record there is nothing to presume that said money had been repaid by the defendant. For demand of money by the plaintiff, I am compelled to keep reliance on the oral testimony of PW 1. I find no reason to disbelieve the unchallenged testimony of P.W.-1. Considering the evidence on record, I am of the view that the plaintiff has been able to prove his case as made out in the plaint and as such, he is entitled to get the decree as prayed for.

Court fees paid is correct.

It appears from the record that the plaintiff has not filed money lending license as required under the Bengal Money Lender's Act. In the circumstances, a penalty of Rs.75/- is imposed upon the plaintiff under Section 13(2) of the Act. Plaintiff is directed to deposit the fine amount immediately and to submit challan.

Hence, it is

Ordered

that the suit be and the same is decreed ex-parte against the defendant with costs. The defendant is directed to pay the decretal amount to the plaintiff within (3) three months failing which, the plaintiff shall have liberty to put the decree into execution.

Suit is disposed off. Decree be drawn up accordingly.

Dealing Assistant is directed to note in relevant registers and CIS.

D/C by me

Sd/-
Judge, SCC, Sealdah

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