

Misc Case 08/2021

Present- A. Gupta, ADJ, F.T.C-I, Sealdah.

Order no.8

03.08.2022

Ld Advocate for the petitioner is present by filing hazira.

OP no. 1 is present with his Ld Advocate by filing hazira.

A petition praying for time to file WO is found to have been filed for the OP no. 2 after serving its copy to the other side who has endorsed strongly objected to thereon.

But, the OP no. 2 and his Ld Advocate are found absent on calls.

Ld Advocate for the OP no. 1 also files a petition praying for time to file WO after serving its copy to the other side who has endorsed strong objection thereon.

Heard both sides on the prayer for time.

Considered.

The prayers for time made by the OP no. 1 and the OP no. 2 are allowed in the interest of justice.

Today is fixed for SR and AD in respect of OP no. 3.

Ld Advocate for the petitioner submits that he file a petition praying for fixing this case for ex parte hearing against the OPs on the earlier date which is pending for disposal.

Perused the petition which was filed by the petitioner without serving its copy to the other side and the case record.

It appears that the fact of filing of the petition by the petitioner on 02.06.2022 has not been mentioned in the Order no. 7 dated 02.06.2022 passed on that date in this case.

The inadvertant irregularity is hereby removed.

The petition filed by the petitioner on 02.06.2022 for directing the case to be heard ex parte against OPs is taken up for hearing after it is shown to the Ld Advocate for OP no. 1 available before the Court today.

The OP no. 1 and 2 have appeared before this Court. Accordingly, the question of hearing this case ex parte against them does not arise at present.

As regards OP no. 3, Ld Advocate for the petitioner shows the postal track report in respect of service of notice of this case to him.

The postal track report bearing the consignment no. EW220370102IN shows the status of the postal consignment "item delivery confirmed" on 15.03.2022.

As the OP no. 3 has not appeared before the Court even after due service of notice of this case to him, let the case be heard ex parte against OP no.3.

The petition filed by petitioner on 02.06.2022 for hearing of this case ex parte against the OP is, thus, disposed of.

The petitioner files a petition for extension of the ad-interim order of injunction passed in this case which is considered and allowed after hearing

both sides.

To 23.11.2022 for appearance of the parties and filing WO by the OP no. 1 and OP no. 2.

The OP no. 2 is to take steps.

D/C

ADJ, F.T.C-I
Sealdah, 24PGS (S).