

Present : Arindam Chattopadhyay
J.O. Code No.WB0859

MACC 360 of 2012
CIS 146 of 2014

Order No.49
Dt.21.12.2021

Today is fixed for hearing the petition under Order I Rule 10 read with section 151 of C.P.C. and the petition under Oder VI Rule 17 read with section 151 of C.P.C., both filed by one Bula Halder on 09.02.21.

Ld. Advocate of the applicant and O.P .No.2 has filed haziras.

Although the Ld. Advocate of the applicant was found present at the time of call, the Ld. Advocate of the O.P. No.2 did not appear inspite of repeated calls.

In such circumstances, both the said petitions are taken up for hearing in absence of Ld. Advocate for O.P. No.2.

Perused the said petitions and the case record.

Heard Ld. Advocate for the claimant.

Considered.

It appears from the record that copy of both the petitions under consideration has not been served upon the Ld. Advocate of the opposite parties. It further appears from the record that the applicant of the said two petitions namely Bula Halder has already filed an amended claim petition on 09.02.21 thereby impleading herself as the applicant and also showing Rs.2,00,000/- as the amount of compensation claimed. Therefore, it appears that the said applicant has not waited for this Tribunal to decide the fate of both her application and has already adjudicated both the petitions in her favour.

According to this Tribunal the aforesaid act of Bula Halder is illegal in nature and derogatory towards this Tribunal.

In such circumstances, both the petitions dated 09.02.21 under Order I Rule 10 read with section 151 of C.P.C. and also under Order VI Rule 17 read with section 151 of C.P.C. filed by Bula Halder are rejected.

Fix 03.02.22 for Peremptory hearing.

Judge, MAC Tribunal
FTC II, D/Harbour