

In the Court of Judicial Magistrate (2<sup>nd</sup> Court)  
Diamond Harbour, South 24 Parganas  
Present: Sri UTTAM DAS, WBSJ (WB1219)

CASE NO:- Misc 03/2022

Order dated 01/06/2023

Today the date is fixed for hearing of exparte hearing.

Ld adv for the petitioner filed hajira and ready for exparte hearing.

At this stage Ld adv for the OP filed a show cause petition along with WO and prayed for vacating exparte order. On perusal of the case record it appears that as the OP did not file WO, exparte order was passed against him. The OP has filed WO and he is willing to contest the case. Grounds of show cause is satisfactorily. Hence Show cause is accepted.

Accordingly, exparte order dated 23-02-2023 passed against the OP is here by vacated with cost of Rs 1,000/- is to be paid to the petitioner by the OP.

WO is also accepted.

To 25/08/2023\_ for PWS and payment of cost.

OP will get chance to cross examine the petitioner on payment of cost id case will be heard exparte.

Dict. & Corrected

JM 2<sup>nd</sup> Court DDH.

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