

Present: Smt. Suparna Ray (JO Code: WB00711)
Judge, Commercial Court at Alipore
Title Suit(Com) 04 of 2025
(CNR no. WBSP18-000059-2025)

Order No. 08
15.05.2025

In the matter of:
Suit for declaration and permanent
injunction valued at Rs.60,000/-and
Rs.5,000/-respectively total
Rs.65,000/-.

And

In the matter of:
DEBASISH KUMAR & 04 ORS.

V/S

ANANTA KUMAR GHOSH &
08 ORS.

ORDERED

Today is fixed for taking necessary steps by the plaintiffs.

Hazira filed on behalf of the plaintiffs through Ld. Advocate.

Ld. Advocate for the plaintiff is found present.

*Hazira also filed on behalf of the defendant nos. 8 and 9 through
Ld. Advocate.*

Ld. Advocates for the defendant nos. 8 and 9 are found present.

*Heard Ld. Advocate for the plaintiff. Ld. Advocate for the
plaintiff prays to fix the instant suit for ex parte hearing against
defendant nos. 1 to 7, as the summons upon them returned with the
endorsement "Unclaimed".*

*Perused the materials on record. It appears that the summons
upon the defendant no. 1 to 7 returned with endorsement "U/C RTS".*

*It is to be mentioned that when the notice is returned as
unclaimed, it shall be deemed to be served and it is proper service.
Therefore, the service of summons upon defendant no.1 to 7, which
has returned with endorsement 'unclaimed' is considered and deemed
to be served, but none has entered appearance.*

Considered.

*Hence, let the instant suit be fixed for ex parte hearing against
defendant nos. 1 to 7.*

*Fix **19.05.2025 at 11.30 a.m to 11.45 a.m** for hearing of the application filed on behalf of defendant no. 8 and 9 under order 7 rule 11 read with section 151 of CPC on 18.10.2023.*

Parties to act on the basis of the downloaded copy of the ordersheet from the Web-site /E-courts- app.

Dictated & corrected by me,

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*