

MACC No. 240/2021
CNR No. WBUD05-001106-2021

Present : Sri Amar Kishore Mahato (J.O.Code-WB 00922),
MACC Tribunal-cum-Addl. Dist. Judge,
2nd Court, Islampur, U/Dinajpur.

Order No. 18 dt.29.04.2024

Today is fixed for ex parte hearing.

Ld. Advocate on behalf of the petitioners files a petition with a prayer for time for ex parte hearing on the ground stated therein.

Subsequently, Ld. Advocate appearing on behalf of the OP/Insurance Co. files a petition praying for shifting the case from ex parte board. The OP/Insurance Co. also files a petition praying for acceptance of the written statement.

Copy of the same is served.

The petition is being taken up for hearing.

Heard both sides.

Perused the case record as well as the instant petition. On perusal, it appears that the case was fixed for ex parte hearing on 09.09.2022 but the ex parte hearing has yet to be commenced. Today, the OP/Insurance Co., by filing the petition along with written statement prayed for shifting the case from ex parte board.

Having heard the submission of both sides and considering the prayer of the OP/ Insurance Co., I am of the opinion that a chance should be given to the OP/Insurance to contest the case on merit.

Accordingly, the prayer of the OP/Insurance Co. stands allowed.

Let the case be shifted from ex parte board. W.S is hereby accepted.

Accordingly, the petition filed on behalf of the petitioners praying form time for ex parte hearing is hereby rejected as misconceived one.

Now, the case is being taken up for framing of issues.

Perused the pleadings of the parties.

Accordingly, issues have been framed in separate sheet which is kept with the case record.

To 14.05.2024 for evidence.

D/C by me,

M.A.C.C.T.

M.A.C.C. Tribunal-cum-A.D.J.,
2nd Court, Islampur, U/Dinajpur.