

MC-28/2024 (CIS-MC-28/2024)
Present – Nabanita Chatterjee (JO Code- WB01317)

Order dated- 20-09-2024

Today is fixed for SR / AD.

Petitioner is present and OPS filed hazira through Ld. Lawyer along with time petition to file WS and Vokatnama dt. 20-09-2024 for all the 07 OPS.

Ld. Advocate for the OPS when countered as to how OPS could not appear on the first date and filed hazira through Ld. Lawyer; he argued that the summons stipulated the OPS to appear either personally or through Lawyer.

However, I guess he forgot that the summons never mentioned that the Vokatnama can be singed on a previous date after putting today's date. In case of any such act the same can be considered as fraud practice and there is every scope of doubt that the signatures appearing on the Vokatnama do not belong to the OPS, as because the date on Vokatnama appears to be on 20-09-2024 but the OPS are not present before the Court. Hence the Vokatnama and petition and hazira on behalf of the OPS are **rejected**.

In this situation I am not inclined to place reliance on the petition of the OPS as well as Vokatnama filed by the Ld. Advocate Md. Tarik Hoque.

Let the case be proceeded ex-parte against the OPS.

Fixing **04-12-2024** for ex-parte evidence.

D/C by me.

Judicial Magistrate
Islampur, Uttar Dinajpur.