

OD-6

IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE  
IA NO. GA 1 OF 2023  
In  
CS 303 OF 2022

LAKKHI KAR AND ORS.  
Vs  
SHIBU KAR

BEFORE:  
The Hon'ble JUSTICE ARINDAM MUKHERJEE  
Date : 11<sup>th</sup> January, 2023.

*Appearance:*  
*Mr. Nilay Sengupta, Adv.*  
*For plaintiffs*

The Court:-This is an application, inter alia, for injunction in a partition suit made by the plaintiffs. The sole defendant remains unrepresented despite the application being sent through speed post. The track report annexed to the affidavit of service filed in Court today and taken on record shows the endorsement "item delivered confirmed" without giving the particulars to whom it is delivered.

Under these circumstances, I direct the plaintiffs to serve the defendant once again. Let this matter appear in the list on 1<sup>st</sup> February, 2023 when the plaintiffs shall file an affidavit of service to demonstrate service on the defendant.

It is made clear that in the event the defendant remains unrepresented on the next date despite service, appropriate orders may be passed in his absence.

(ARINDAM MUKHERJEE, J.)

Sb/