

Court No. 6
(265719)

24.06.2025
(AD 9)
(S. Banerjee)

CO 2129 of 2025

Sekh Roup Ali
Vs.
Nasreen Khatoon

Ms. Sohini Bhattacharyya
...for the petitioner

The petitioner is aggrieved by the order dated April 10, 2025 passed by the learned Civil Judge (Jr. Division), 5th Court at Howrah in Title Suit No. 1319 of 2022 by virtue of which the time to make payment of cost was extended.

Learned advocate appearing for the petitioner submits that the defendant did not take any step for which the suit was proceeding ex parte. Thereafter the order of ex parte hearing stood vacated subject to payment of a cost of Rs. 1,000/-. She further submits that the defendant did not pay the cost on the date fixed for the same and the learned trial judge extended the time for payment of cost.

This court finds that August 6, 2025 has been fixed for peremptory hearing, discovery and inspection and for payment of cost by the defendant.

Since the time for payment of cost has been extended, this court is not inclined to interfere with such order. However, it is made clear that if the cost, as directed to be paid by the defendant by order dated April 10, 2025, is not paid within August 6, 2025, on that date no further extension of time for payment of cost shall be granted and the learned trial judge shall proceed with the matter in accordance with law.

The learned advocate-on-record of the petitioner shall forward a copy of this application along with a copy of this order upon the opposite party or upon the learned advocate appearing for the opposite party before the learned trial judge.

With the above observation and direction, CO 2129 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)