

উপস্থিত- মোঃ হাসান জামান, সিনিয়র সহকারী জজ
সিনিয়র সহকারী জজ ২য় আদালত, পটিয়া, চট্টগ্রাম

Order no- 58
Dt. 25.07.2023

Today is fixed for hearing of petition under **Order-IX Rule- 4 read with section 151 CPC** along with petition of condonation of delay.

The petitioner is present by filing hazira.

Now the record is taken for hearing.

Heard Ld Advocate for the petitioner on the matter stated in petition.

Taken for order. Perused the application, the affidavit in support thereof and the record. It appears to me that the original suit was dismissed for failure of taking step by the plaintiff on **06.04.2023**. The petitioner brought this Misc case long after **74 days** delay. The cause shown and the explanation of delay given by the plaintiff petitioner appears to me reasonable and satisfactory. So, the Misc. Case is liable to be allowed.

C.F. paid is correct.

Hence,

Ordered

That the Misc. Case be allowed ex parte as against the opposite party/parties without any order as to cost.

The dismissal order dated **06.04.2023** in the original suit is hereby set aside. Restore the suit to its original no. and file in the filing of W/S stage fixing the next date on **03.01.2024**.

D/C by me

Md Hasan Zaman
Senior Assistant Judge
Senior Assistant Judge, 2nd Court
Patiya, Chattogram

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