

19th November,
2020(D/L3)
AK

**C.O. 1331 of 2020
(Via Video Conference)**

**M/s. Burans Commosales Private Limited and others
-Vs-
M/s. Gangavati Enclave Private Limited and others**

Mr. Abhrajit Mitra,
Mr. Saptarshi Mukherjee,
Mr. Satadeep Bhattacharyya,
Ms. Rajshree Kajaria

... for the petitioners

Mr. Probal Kumar Mukherjee,
Mr. Shebatee Datta

... for the respondents.

The petitioners, all forty five of them, are the defendants in a partition suit filed by the five opposite parties being T.S. No.249 of 2019.

The order challenged in the present proceeding is of 22nd September, 2020 passed by the learned Civil Judge (Senior Division), 2nd Court, Howrah adjourning an application filed by the petitioners for Judgment on Admissions (Order 12 Rule 6 of The Code of Civil Procedure).

Learned Counsel appearing for the petitioners places the impugned order which shows that the next date of hearing has been fixed on 29th March, 2021. Counsel submits that the question to be decided by the learned court below was relatively simple and did not call for any such adjournment.

Learned Counsel appearing for the opposite parties/plaintiffs does not have any objection if the application filed by the petitioners is expedited.

Upon perusing the impugned order, it appears that the reason for adjourning the application filed by the petitioners is a resolution taken by the District Bar.

In view of this court, such reason cannot be a ground for adjourning an application filed in July, 2019 to March, 2021. Learned Court below should be directed to hear and dispose of such application expeditiously.

In view of the above, the learned Civil Judge (Senior Division), 2nd Court, Howrah is requested to consider and dispose of the application filed by the petitioners under Order 12 Rule 6 of the C.P.C. within ten weeks from today and without granting unnecessary adjournments any of the concerned parties.

The opposite parties will be at liberty to file their written objections within two weeks from date. Reply, if any, be filed within two weeks thereafter.

C.O. 1331 of 2020 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)