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02.02.2021
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO No. 280 of 2020

Smt. Suman Handa
-versus-
Sri Sisir Kumar Muni

Mr. Joyjit Roy,
Mr. Vineet Kothari,
... for the petitioner.

The order proposed to be passed in the present revisional application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such, service of notice of the present application upon the said opposite party is dispensed with.

The learned Trial Judge by the order dated April 4, 2019 fixed the ex-parte hearing of the suit for the failure of the defendant to file written statement within the time prescribed under Rule 1 of Order VIII of the Code of Civil Procedure.

The defendant/opposite party on July 31, 2019 has filed an application for vacating the said order dated April 4, 2019.

The grievance of the petitioner is that the said application could not reach to its logical conclusion due to the repeated prayer of the defendant for adjournment being allowed.

The grievance of the petitioner is justified as the pendency of the said application is certainly a hindrance in the final disposal of the suit.

The learned Trial Judge is, therefore, requested to dispose of the said application within a period of two weeks from the date of communication of this order positively and in doing so the learned Trial Judge shall not grant any unnecessary adjournment to either of the parties.

The learned Trial Judge, after disposal of the said application, shall make all endeavour for expeditious disposal of the suit.

CO 280 of 2020 is thus disposed of.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)