

**JUTHIKA MULLICK & ORS. VS.MARUTI
NANDAN PROPERTIES(P) LTD. & ORS.**

Mr. Suddhasatva Banerjee

Mr. Bikash Shaw

..for the petitioners

Mr. Chanchal Kr. Dutt

..for the opposite party no.1

This revisional application has been filed by the petitioners for expeditious disposal of three applications pending before the learned XIIth Judge, City Civil Court, Calcutta in Title Suit No.11 of 2015.

The learned Advocate for the petitioners as also the learned Advocate for the opposite party no.1 are represented before this Court.

It appears that three applications, namely, under Order 39 Rule 4, Order 22 Rule 3 and Order 22 rule 9 of the CPC are pending before the learned Court below.

Having considered the rival contentions of the parties, it appears that the order sought for in this revisional application is an innocuous one and service upon the other opposite parties is dispensed with.

The learned Court below is directed to hear out the application for substitution along with the application for dismissal of the suit upon recording the abatement, within two months from the next date fixed. The said

applications will be decided on their own merits.

This Court has not gone into the contentions of the parties with regard to the pending applications. On the basis of the fate of the aforementioned applications, the learned Court below shall proceed with the hearing of the other pending application and dispose of the same within two months thereafter in accordance with law.

This revisional application is disposed of.

Petitioner will serve a copy of this revisional application along with a server copy of this order upon the other non-appearing opposite parties.

There will be however no order as to costs.

Urgent photostat certified copy of this order be given to the parties on priority basis, if the same is applied for.

(Shampa Sarkar,J.)

