

S/L 34
09.03.2021
Court. No. 19
GB

C.O. 522 of 2021

Shri Amal Krishna Saha
Vs.
Shri Animesh Kumar Saha & Ors.

(Through Video Conference)

*Mr. Manjit Singh,
Mr. G. Singh,
Mr. Biswajit Mal.*

...for the Petitioner.

This revisional application has been filed for expeditious disposal of the pending applications filed in connection with Title Suit No.178 of 2017, which is pending before the learned Civil Judge (Junior Division), 1st Court, Barasat, District 24 Parganas (North).

Records reveal that an application for injunction under Order 39, Rules 1 and 2 of the Code of Civil Procedure as also an application under Order 6, Rule 17 of the Code of Civil Procedure filed by the defendants for amendment of the written statement are pending before the learned court below. It is also submitted that the defendants/opposite parties have not filed written objection to the injunction application, but the plaintiff has filed the written objection to the application for amendment of the written statement.

Under such circumstances, this revisional application is disposed of without going into the merits of the case, but with a direction upon the learned court below to proceed

expeditiously with the pending applications upon giving one last opportunity to the defendants/opposite parties to contest the said proceeding by filing their respective written objections. Such disposal shall be made within a period of three months from the next date fixed. Once the applications are disposed of, the learned court below shall expedite the hearing of the suit.

This Court has not gone into the merits of the claims of the petitioner and the learned court below shall proceed independently and in accordance with law.

Petitioner is directed to serve a copy of this revisional application along with a server copy of this order upon the opposite parties.

The revisional application is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)