

AD. 21.
August 19, 2021.
MNS.

C. O. No. 767 of 2021
(Via video conference)

Smt. Sadhana Bose
Vs.
Smt. Chandana Roy (nee Mitra) and
another

Mr. R. Nag,
Mr. Somnath Ghoshal

... for the petitioner.

In view of sufficient grounds having been made out to show that the trial court unnecessarily delayed the disposal of the application filed by the defendant-petitioner under Order VII Rule 11 of the Code of Civil Procedure in Title Suit No. 284 of 2013, C. O. No. 767 of 2021 is disposed of by requesting the Civil Judge(Junior Division), Second Court at Sealdah to dispose of the application filed by the defendant-petitioner under Order VII Rule 11 of the Code, pending in the said Court in connection with Title Suit No. 284 of 2013, as expeditiously as possible, positively within one month from the date of communication of this order to the court below.

The trial court shall endeavour to dispose of the suit itself as expeditiously thereafter as the

roster of the said court permits, depending upon the outcome of the application under Order VII Rule 11 of the Code.

In view of the innocuous nature of this order, no prior service of notice on the opposite party is deemed necessary.

The petitioner shall communicate this order, accompanied by a server copy of the same, to the court below as well as to the plaintiff- opposite party no. 1 and/or the learned advocate appearing for the plaintiff-opposite party no. 1 in the court below, at the earliest.

The court below as well as both the parties shall act on such communication of the learned advocate for the petitioner, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)