

S/L 15  
12.04.2021  
Court. No. 19  
GB

C.O. 814 of 2021

Narayan Chandra Saha  
Vs.  
Manju Rani Dutta & Ors.

(Through Video Conference)

*Mr. Sabyasachi Mukherjee,  
Ms. Arunima Das Sharma.*

*...for the Petitioner.*

This revisional application has been filed for expeditious disposal of Money Suit No.218 of 2018 pending before the learned Civil Judge (Senior Division), 1<sup>st</sup> Court at Barasat.

The learned advocate for the plaintiff submits that the learned court below has fixed the application filed by the defendants under Order VII, Rule 11 of the Code of Civil Procedure for hearing on several occasions but has not taken up the same. He further submits that the pendency of the Order VII, Rule 11 application cannot stall the progress of the suit because the law is well-settled, in this regard that the suit may proceed but the Order VII, Rule 11 application should be decided before the suit is finally disposed of.

Under such circumstances, without going into the merits and the rival contentions of the parties, this revisional application is disposed of with a direction upon the learned court below to expedite the hearing of the Money Suit No.218 of 2018 expeditiously and dispose of the same preferably

within a period of two years from the next date fixed along with all pending applications. The learned court below shall consider the matter independently and in accordance with law. This court has not gone into the merits of the case.

Petitioner is directed to serve a copy of this revisional application along with a server copy of this order upon the opposite parties and/or their learned advocate appearing in the learned court below within a week from date.

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.)**