

10.11.2021  
Item No.14  
Ct. No. 18  
AJ.

**C.O. 1473 of 2021**

**Fazlur Rahman Khan & Ors.**

**-Vs-**

**Jully Begum & Ors.**

Mr. Sandip Kumar Bhattacharyya,

Mr. Abdul Muirshid.

....for the petitioners.

The defendant nos. 1 to 3 in a suit for declaration being Title Suit No. 59 of 2015 are the petitioners of the present application under Article 227 of the Constitution of India.

The petitioners sought rejection of the plaint of the said suit under Order VII Rule 11 of the Code of Civil Procedure. The learned Trial Judge by the order dated November 10, 2017 dismissed the said application.

The petitioners filed an application seeking review of the said order, registered as Misc. Case No. 18 of 2017.

The learned Trial Judge by the order impugned being order dated January 20, 2020 has dismissed the said misc. case.

It appears that the learned Trial Judge has found that no case under Order XLVII of the Code warranting review of the order dated November 10, 2017 has been made out.

This Court does not find any reason to interfere with the said finding of the learned Trial Judge.

Mr. Bhattacharyya, learned counsel appearing on behalf of the petitioners prays that he hearing of the suit may be expedited.

The 2<sup>nd</sup> Court of the learned Civil Judge (Senior Division), Alipore, District- 24-Parganias (South) is requested to expedite the disposal of the Title Suit No. 59 of 2015 in accordance with law, if the same is otherwise ready for disposal.

C.O. 1473 of 2021 is disposed of with the above terms without any order for costs.

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

**(Biswajit Basu, J.)**