

06.09.2021
Item No.14
Ct. No.7
CHC

**C.O.1505 of 2021
(Via Video Conference)**

**Sk Ajhar Ali & ors.
Vs.
Smt. Koyel Bhakta Ahiri & ors.**

Mr. Bhudeb Chatterjee
...for the petitioners

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of an application, filed Under Order VII Rule 11 C.P.C. by the defendant no.12, on 19th January, 2021 being page 124/Annexure 'E' to the instant revisional application.

Mr. Bhudeb Chatterjee, learned advocate representing the petitioners/plaintiffs has made me travel to order dated 22nd April, 2021, wherefrom it appears that defendant no.1 has filed written statement supported by an affidavit in answer to the plaint received by him.

Mr. Chatterjee, further submits that to challenge the application under Order VII Rule 11 C.P.C. petitioners have already filed written objection, but

the same has not been taken up by the learned court below for the reasons best known to the learned court below.

The point is very short and simple requiring no extensive hearing and the matter may be even disposed of without inviting presence of the other sides. In view of the nature of the order proposed to be made in this case, service upon the opposite parties, accordingly, stands dispensed with.

Having considered the submission of learned advocate for the petitioners, the Court is quite alive of the fact that because of the impact of COVID-19 and its proliferation, the ordinary function of the Court has been largely disturbed.

However, the Court is of the view that the instant revisional application may be disposed of giving direction mentioned as hereinunder;

Learned court below in connection with Title Suit No.232 of 2020 of learned Civil Judge (Senior Division), Additional Court, Hooghly, is directed to dispose of the application under Order VII Rule 11 C.P.C. filed by the defendant no.12 either on the date scheduled by the learned court below, or if for any reasons whatsoever the same could not be done, the matter may be disposed of peremptorily within eight weeks thereafter without granting unnecessary adjournment, unless it is extremely unavoidable.

Petitioners are directed to make communication of this order to the learned court below and also to the opposite parties and their advocates so that both parties may come prepared ready for making effective utilization of the dates to ensure expeditious disposal of application under Order VII Rule 11 C.P.C.

With this direction/observation the revisional application stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)