

(18)
13.09.2021
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)

CO No. 1567 of 2021

Sri Gobinda Chandra Nandy
-versus-
Smt. Ashoka Nandy & ors.

Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. Rudranil Das,

... for the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause of any prejudice to the opposite parties, as such, prior service of notice of the present revisional application upon the said opposite parties is dispensed with.

The petitioner is the defendant in Title Suit No. 377 of 2019 pending before the 2nd Court of learned Civil Judge (Senior Division), at Howrah.

The petitioner complains that he has filed an application under Order VII Rule 11 of the Code of Civil Procedure on September 13, 2019, the said application although has been marked by the learned Trial Judge as heard-in-part vide order dated March 06, 2020 but the same has not yet been disposed of.

The application under Order VII Rule 11 of the Code by its nature demands expeditious disposal.

It appears from the record that the learned Trial Judge by the order dated March 06, 2020 records the said application as heard-in-part, therefore, there is no plausible reason for keeping the said application pending even thereafter for such a long time.

The learned Trial Judge is therefore requested to dispose of the said application expeditiously preferably within a period of one month from the date of communication of this order, without granting any unnecessary adjournment to either of the parties.

The petitioner shall serve a copy of the application along with the copy of this order upon the learned advocate representing the opposite parties in the Court below before the next date fixed for hearing in the suit.

CO 1567 of 2021 is thus disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)