

09.09.2021.
Item No.7
Court No. 7

C.O. 1559 of 2021

**Amiya Chorone Roquittee
Vs.
Raja K. Vora and another.**

**Mr. Meghnad Dutta,
Mr. Subhankar Chakraborty,
Mr. Saptarshi Bhattacharjee,
Ms. Ruchira Manna.**

... for the petitioner.

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of an application under Order XXII Rule 2 read with Section 151 of the Code of Civil Procedure praying for substitution, which was filed on 15th January 2019 before the learned Court below.

It is submitted by the learned Advocate for the petitioner that though the application was filed at the very beginning of January 2019 and the written objection thereafter has been filed by the opposite parties, but till such time the pending substitution application has not been disposed of by the learned Court below resulting in protraction to the disposal of the pending suit.

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

The learned Judge, 2nd Bench, City Civil Court at Calcutta in Title Suit No. 89 of 2018 is directed to

dispose of the pending application under Order XXII Rule 2 read with Section 151 of the Code of Civil Procedure as expeditiously as possible and preferably by 31st December 2021 providing sufficient opportunity of hearing to either of the parties to this case but without granting unnecessary adjournment unless it is extremely unavoidable.

In doing such exercise, learned Court below is directed to regularize the case record and give a suitable date upon notice to both the parties so that the pending application may be disposed of within the period stipulated herein above.

After disposal of the substitution application and any other interlocutory applications pending, if there be any, the learned Court below must try to ensure expeditious disposal of the pending suit.

The petitioner is directed to make communication of this order to the opposite parties and their learned Advocates so that the parties may come prepared on the date so scheduled by the learned Court below.

With this direction and observation, the revisional application is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.