

**12. 23.11.2021**  
**Ct. No.22**  
BPG

**C.O. 1977 of 2021**

**Sri Tarun Kundu & Anr.**  
**-Versus-**  
**Sri Sunil Debnath & Anr.**  
**(Through Video Conference)**

Mr. Satyam Mukherjee.  
...for the Petitioners.

Mr. Satyam Mukherjee, learned advocate appearing for the petitioners prays for necessary order may be passed directing the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court at Barasat for expeditious disposal of Misc. Case No.11 of 2018 as the petitioners have filed a petition under Order XIV Rule 2 read with Section 151 of Civil Procedure Code to hear the case on the point of maintainability, but the opposite parties by filing adjournment petitions one after another on lame excuses has been causing delay in hearing of their application.

Since the petitioners have prayed for expeditious hearing of pending application under Order XIV Rule 2 read with Section 151 of Civil Procedure Code and if allowed would dispose of the entire matter. So, this Court does not see possibility of causing any prejudice to the opposite parties.

Further, having regard to the nature of relief claimed, I see no reason to put the opposite parties on notice. Service of notice on the opposite parties is dispensed with.

Accordingly, C.O.1977 of 2021 is disposed of with a request to the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court at Barasat, to dispose of the application under Order XIV Rule 2 of CPC read with Section 151 of CPC within a month from the date of communication of this order.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Kesang Doma Bhutia, J.)