

26.11.2021
Item No.31
Court No.18
AJ.

C.O. 1993 of 2021
(Through Video Conference)

Nirupama Chowdhury & Ors.
-Vs-
Sumitra Mitra & Ors.

Ms. Shebatee Datta,
Mr. Ranjit Kumar Basu.
... for the petitioners.

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

The defendant nos.5 to 7 in a suit for partition being Title Suit No. 3038 of 2016 pending before the learned Civil Judge (Senior Division), 9th Court, Alipore, 24-Parganas (South) are the petitioners of the present application.

The petitioners on February 21, 2017 have filed an application under Order VII Rule 11 of the Code of Civil Procedure for rejection of the plaint of the said suit.

The petitioners are complaining inordinate delay in disposal of the said application. An application under Order VII Rule 11 of the Code by its nature demands expeditious disposal of it.

The learned Trial Judge, therefore, is requested to dispose of the said application expeditiously preferably within a period of one effective available working month of the said Court from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 1993 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.)