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22.12.2021
Ct. No.21
(NB)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

CO 2115 of 2021
(Via Video Conference)

Poly Biswas
Vs.
Subhamoy Chatterjee & Anr.

Mr. Kushal Chatterjee,
Mr. Debrup Choudhury.
... for the petitioner.

Mr. Kushal Chatterjee and Mr. Debrup Choudhury,
learned advocates for the petitioner are present.

The petitioner/wife by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application under Order 26 Rule 9 of the Code of Civil Procedure arising out of the Title Suit No. 201 of 2020, pending before the learned Civil Judge (Junior Division), 2nd Court, Barrackpore.

The learned advocates for the petitioner submits that the learned Court below has been granting unnecessary adjournments and due to which, there is a delay in disposal of the case and such delay is causing hardship to the petitioner.

Having regard to the nature of relief claimed by the petitioner, being a prayer for expeditious disposal of the Title Suit, I do not find any need to serve notice of the present application on the opposite party and it is not likely to cause any prejudice to

the interest of the opposite party. Therefore, service of notice upon the opposite party is dispensed with.

The learned Civil Judge, (Junior Division) 2nd Court, Barrackpore is requested to dispose of the application under Order 26 Rule 9 of the Code of Civil Procedure filed by the petitioner in connection with the Title Suit No.201 of 2020, as expeditiously as possible and in any event, within a period of one month from the date of communication of this order, on priority basis, without granting any unnecessary adjournment to either of the parties.

Accordingly, the revisional application being **CO 2115 of 2021** is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

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

(Kesang Doma Bhutia, J.)