

18.02.2021
S/L No. 11
Court No. 3
s.biswas

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Through Video Conference)**

CO 25 of 2021

Uma Dutta & Anr.
Vs.
Aparna Dutt & Ors.

Mr. Kunaljit Bhattacharjee
Mr. Dipankar Sen

... ..for the Petitioners

This application under Article 227 of the Constitution of India is at the instance of the plaintiffs praying for expeditious hearing of the application under Order 40 Rule 1 read with Section 151 of the Code of Civil Procedure.

It is submitted by the learned advocate appearing for the petitioners that an application for appointment of Receiver was filed on January 28, 2019 and the same is still pending.

It is further submitted by the learned advocate for the petitioners that a copy of such application has been served upon the opposite parties and the hearing of the said application is fixed on March 20, 2021.

In view of the order sought and proposed to be passed, there is no necessity of issuing any notice upon the opposite parties herein.

However, the petitioners shall be obliged to forward a copy of this application along with a copy of this order upon the opposite parties herein or upon the learned advocate representing the opposite parties in the Court below forthwith.

Since the application for appointment of Receiver filed in connection with the Partition Suit No.185 of 2017 is pending for a long time, CO 25 of 2021 is disposed of by requesting the learned Civil Judge (Senior Division) at Jalpaiguri to take up the hearing of the application under Order 40 Rule 1 of the Code on the next date fixed, i.e., on March 20, 2021 and to dispose of the same as expeditiously as possible and preferably within a period of 4 weeks from the next date fixed.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied, be supplied to all the parties upon completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)