

04.02.2022
Ct. 21
D/L 17
ab

C.O. 35 of 2022
(Via Video Conference)

Dr. Ashok Kumar Roy
-Vs-
Soumitra Dasgupta

Mr. Samiran Giri,

... for the petitioner

Mr. Samiran Giri, learned advocate appears for the petitioner.

Record shows that the notice of this application has not been served on the opposite party.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application under Order 39 Rule 4 of the Code of Civil Procedure in connection with Title Suit No. 652 of 2020, pending before the learned Civil Judge (Junior Division), 2nd Additional Court at Alipore, South 24 Parganas.

The learned advocate 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 interlocutory application, 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 Additional Court at Alipore, South 24 Parganas, is requested to dispose of the application under Order 39 Rule 4 of the Code of Civil Procedure in connection with Title Suit No. 652 of 2020, as expeditiously as possible and in any event, within a period of one month from the date of communication of this order, without granting any adjournment whatsoever to any of the parties.

Accordingly, the revisional application being **C.O. 35 of 2022** 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.**)