

21.01.2022
Ct. 21
D/L 49
ab

C.O. 65 of 2022
(Via Video Conference)

Pradyot Sinha

-Vs-

M/s. Sarbamangala Agro Products Cold Storage
represented by Ibadat Molla & Ors.

Mr. Aniruddha Chatterjee,
Mr. Saya Sinha,
Mr. Mainak Swarnokar,

... for the petitioner

Mr. Aniruddha Chatterjee, learned advocate appears for the petitioner/defendant No. 3.

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

The petitioner/defendant No. 3 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 as well as the application to recall the order dated 9th December, 2021 filed by him in connection with Title Suit No. 166 of 2021, pending before the learned Civil Judge (Junior Division), 3rd Court at Purba Bardhaman.

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 petitioners, being a prayer for expeditious disposal

of the interlocutory applications, I do not find any need to serve notice of the present application on the opposite parties and it is not likely to cause any prejudice to the interest of the opposite parties. Therefore, service of notice upon the opposite parties is dispensed with.

The learned Civil Judge (Junior Division), 3rd Court at Purba Bardhaman, is requested to dispose of the application under Order 39 Rule 4 of the Code of Civil Procedure as well as the application to recall the order dated 9th December, 2021 filed by the petitioner/defendant No. 3 in connection with Title Suit No. 166 of 2021, 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 unnecessary adjournment to either of the parties.

Accordingly, the revisional application being **C.O. 65 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.**)