

03.02.2022
Ct. 21
D/L 31
ab

C.O. 140 of 2022
(Via Video Conference)

Dipak Chakraborty & Anr.
-Vs-
Dilip Banerjee & Anr.

Mr. Buddhadeb Ghosal,
Mr. Purnasish Gupta,
Ms. Mery Datta,

... for the petitioners

Mr. Buddhadeb Ghosal, learned advocate appears for the petitioners.

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

The petitioners by filing the present application under Article 227 of the Constitution of India have prayed for expeditious disposal of the application under Order 39 Rule 4 of the Code of Civil Procedure in connection with Title Suit No. 413 of 2021, pending before the learned Civil Judge (Junior Division), 3rd Additional Court at Alipore, South 24 Parganas.

The learned advocate for the petitioners 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 petitioners.

Having regard to the nature of relief claimed by the petitioners, 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 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 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. 413 of 2021, as expeditiously as possible and in any event, within a period of three months 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. 140 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.**)