

147
AKG 23-02-2022
Ct.21

C.O. 144 of 2022
Subrata Chowdhury
Versus
Gouri Chowhan
(VIA VIDEO CONFERENCE)

Mr. Kushal Chatterjee,
Mr. Abir Lal Chakravorti
...for the Petitioner

Mr. Kushal Chatterjee, learned advocate appears for the petitioner.

Record shows that no notice of this application has been served on the other side.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the Misc. Case No. 24 of 2012 under Order 9 Rule 13 C.P.C. arising out of Title Suit No. 248 of 2009, pending before the learned Civil Judge (Junior Division), 2nd Court, Barrackpore.

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 disposing 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 Misc. Case No. 24 of 2012 under Order 9 Rule 13 C.P.C. arising out of Title Suit No. 248 of 2009, 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 Civil Judge (Junior Division), 2nd Court, Barrackpore is requested to dispose of the Misc. Case No. 24 of 2012 under Order 9 Rule 13 C.P.C. arising out of Title Suit No. 248 of 2009, 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 party, as the said case is pending since 2012.

Accordingly, the revisional application being **C.O. 144 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.)