

09.02.2022
Ct. 21
D/L 18
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C.O. 168 of 2022
(Via Video Conference)

Monihar Begam
-Vs-
Hasmat Ali Mullick & Ors.

Mr. Sk. Toslim Ali,

... for the petitioner

Mr. Sk. Toslim, learned advocate appears for the petitioners.

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

The petitioner/defendant No. 1 by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure in connection with Title Suit No. 228 of 2019, pending before the learned Civil Judge (Senior Division), 3rd Court at Howrah.

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 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 (Senior Division), 3rd Court at Howrah, is requested to dispose of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure in connection with Title Suit No. 228 of 2019, 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. 168 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.**)