

09.02.2022
Ct. 21
D/L 3
ab

C.O. 164 of 2021
(Via Video Conference)

Shyamali Saha & Anr.
-Vs-
Shyamal Kundu

Mr. Sagarmay Ghosh,
... for the petitioners

Mr. Sagarmay Ghosh, learned advocate appears for the petitioners.

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

The petitioners/defendants by filing the present application under Article 227 of the Constitution of India have prayed for expeditious disposal of the application under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure in connection with Title Suit No. 145 of 2017, pending before the learned Civil Judge (Junior Division), 1st Court at Barrackpore, North 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 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), 1st Court at Barrackpore, North 24 Parganas, is requested to dispose of the application under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure in connection with Title Suit No. 145 of 2017, 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. 164 of 2021** 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.**)