

21.04.2022
Item No.9
Ct. No.7
CHC
(disposed of)

**C.O.397 of 2022
(Physical Hearing)**

**Sri Ratan Chandra Dutta @ Swapan Dutta
Vs.
Protima Roy & ors.**

Mr. Gopal Chandra Ghosh,
Mr. Rajkrishna Mondal
...for the petitioner

A direction to secure expeditious disposal of pending interlocutory applications, filed in connection with Title Suit No.75 of 2019 of learned Civil Judge (Junior Division), Barrackpore, North 24 Parganas, is the ultimate relief sought for in this case.

Mr. Ghosh, learned advocate appearing for the petitioner upon advertizing to order dated 18th February, 2021, passed in C.O.333 of 2021, submits that even after communication of the order, the pending interlocutory applications, particularly the petition filed by the plaintiff under Section 151 C.P.C. praying for implementation of the ad interim order of injunction has not yet been disposed of.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be

necessary. Service upon the opposite party stands dispensed with.

Accordingly, learned Civil Judge (Junior Division), Barrackpore, North 24 Parganas, in Title Suit No.75 of 2019, is requested to ensure expeditious disposal of pending interlocutory application, filed by the petitioner/plaintiff under Section 151 C.P.C., and another application, filed by the opposite parties/defendants, under Order 7 Rule 11 C.P.C. praying for rejection of the plaint, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, the learned court below may proceed to dispose of the pending interlocutory applications in a manner, as situation of the court would demand, so as to dispense with the justice in a best possible expeditious manner, upon sensing the purport of message conveyed in C.O.333 of 2021.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite parties, and opposite parties as well.

With this observation/directions, the revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)