

22.04.2022
Item No.9
Ct. No.7
CHC
(disposed of)

**C.O.490 of 2022
(Physical Hearing)**

**Mrinal Kanti Halder
Vs.
Shiba Prosad Banerjee**

Mr. Anand Keshri,
Mr. Sekhar Mukherjee
...for the petitioner

A direction to secure expeditious disposal of a suit being T.S. No.960 of 2018, pending before the learned Civil Judge (7th Court), Senior Division, at Alipore, subsequently, transferred to learned Civil Judge (5th Court), Senior Division, at Alipore, renumbered as Title Suit No.244 of 2019, is the ultimate relief sought for in this case.

Mr. Keshri, learned advocate appearing for the petitioner/defendant submits that even after the disposal of temporary injunction application, the suit is getting delayed to reach its logical conclusion.

Upon perusal of the photocopy of the orders passed by the learned court below annexed with the instant revisional application, it appears that that an interlocutory application is pending filed at the instance of the plaintiff/opposite party.

In view of the nature of order proposed to be made, no prior notice is considered to be necessary. Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (5th Court) Senior Division, at Alipore, in Title Suit No.244 of 2019, is requested to ensure expeditious disposal of pending suit, after causing disposal of interlocutory application, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

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 party and opposite party.

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.)