

06.04.2022
Item No.8
Ct. No.7
CHC
(disposed of)

**C.O.599 of 2022
(Physical Hearing)**

**Sri Rajendra Singh & anr.
Vs.
Sri Madhusudan Biswas & anr.**

Mr. Amlan Jyoti Sengupta,
Ms. Debjani Sengupta,
Mr. Abhijit Pal

...for the petitioners

A direction is to secure expeditious disposal of an interlocutory application under Order 7 Rule 11 C.P.C. filed by the petitioners/defendants, on 7th June, 2018, is the ultimate prayer in this case.

Ms. Debjani Sengupta, learned advocate appearing for the petitioners submits that the petitioners have been suffering ad interim order of injunction, and to challenge the legalities of the suit, an application under Order 7 Rule 11 C.P.C. has been filed by the petitioners/defendants, which till date could not be disposed of.

Upon perusal of the photocopies of the orders, passed by the learned court below, it appears that an amendment application is awaiting decision, to be rendered by the learned court below, besides the referred application under Order 7 Rule 11 C.P.C.

In view of the nature of the order proposed to be made, no prior notice upon the opposite parties is considered to be necessary. Accordingly, service upon the opposite parties stands dispensed with.

Learned Civil Judge (Junior Division), 6th Court, Howrah, in Title Suit No.1000 of 2017 is requested to ensure expeditious disposal of pending application for rejection of the plaint under Order 7 Rule 11 C.P.C. coupled with application for amendment under Order 6 Rule 17 C.P.C, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it extremely unavoidable.

While endeavouring such exercise, the learned court below may proceed with the disposal of the pending interlocutory applications in the manner, as situation of the case, would demand, so as to dispense with the justice, in a best possible manner.

The petitioners are 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 the opposite parties also.

With this direction/observation 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.)