

13.04.2022
Item No.30
Ct. No.7
CHC
(disposed of)

**C.O.782 of 2022
(Physical Hearing)**

**George Daniel
Vs.
Md. Shamim**

Mrs. Sohini Bhattacharyya
...for the petitioner

A direction to secure expeditious disposal of an interlocutory application filed by petitioner/defendant under Order 7 Rule 11 C.P.C. is the ultimate relief sought for in this case.

Mrs. Bhattacharyya, learned advocate appearing for the petitioner upon adverting to order dated 17th November, 2021, passed in C.O.576 of 2021 submits that direction passed by a coordinate Bench of this Court requiring the court below to ensure expeditious disposal within the period mentioned over there has not been complied with.

The only contention expressed by the learned advocate for the petitioner is the delay caused against the disposal of interlocutory application praying for rejection of the plaint filed by the petitioner/defendant.

In view of the nature of the 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 (Junior Division), 2nd Court, Sealdah, in Ejectment Suit No.52 of 2013, is requested to ensure expeditious disposal of pending interlocutory application, particularly under Order 7 Rule 11 C.P.C., 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 purport of the message conveyed in C.O.576 of 2021 may be taken into account.

It is believed that pending interlocutory application may be disposed of within the best possible time, as the situation of the case would demand, so as to dispense with the justice in a best possible manner.

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 as well.

With this direction and 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.)