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C.O. 1856 of 2022

**Sri Somen Chakraborty
Vs
Babai Sadhukhan & anr**

Mr. Siva Prasad Ghosh , ... For the petitioner.

A direction to secure expeditious disposal of an application for addition of party under Order 1 Rule 10(2) of the CPC, is the ultimate relief sought for in this case.

Mr. Siva Prasad Ghosh, learned advocate appearing for the petitioner submits that after entering appearance by the defendants, they have disclosed their admission in the written statement.

In view of such admission, the Court below is under obligation to proceed with the suit giving a decision therefor.

It is at this stage one interlocutory application has been filed under Order 1 Rule 10 (2) of the CPC praying for addition of party. The decision of the suit is getting delayed by reason of the pendency of the interlocutory application under Order 1 Rule 10 (2) of the CPC.

No other point is raised requiring address by this Court.

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

necessary upon the opposite parties.

Service of notice of this application upon opposite parties stands dispensed with.

Accordingly, learned Civil Judge (Junior Division), 2nd Court, Barrackpore in Title Suit No. 4 of 2016 is requested to ensure expeditious disposal of interlocutory application filed under Order 1 Rule 10 (2) of the CPC, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournments, unless it is extremely unavoidable.

This would not, however, prevent the Court below to ensure disposal of a suit in accordance with law, after causing disposal of interlocutory application mentioned hereinabove.

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 the opposite parties.

With this observation and direction, the revisional application stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)

