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C.O. 68 of 2023

**Sri Rupendu Sekhar Chandra
Vs
Smt. Sharmistha Chandra**

Mr. Chiranjib Sinha,
Mr. Dyutiman Banerjee,
Mr. Imtiaz Kabir,

... For the petitioner.

A direction to secure expeditious disposal of interlocutory application under Order 6 Rule 17 CPC filed in Title Suit No. 1574 of 2017 pending before the learned Civil Judge (Junior Division), 5th Court, Alipore, is the ultimate relief sought for in this case.

As per submission disclosed by the learned advocate Mr. Chiranjib Sinha, appearing for the petitioner that this is a suit for eviction of licensee, which has already been posted for peremptory hearing. But it is at the stage of peremptory hearing, an application for amendment has been filed by the opposite party, and till such date, the pending interlocutory application has not been disposed of.

The only contention thus expressed by the petitioner is against the delay caused in the disposal of the suit for the frequent adjournments being granted on the prayer of the opposite party.

No other point is raised requiring address by this

Court.

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

Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Junior Division), 5th Court, Alipore, in Title Suit No. 1574 of 2017 is requested to ensure expeditious disposal of pending interlocutory application for amendment, referred hereinabove, subject to the suitability and convenience of the court below, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it extremely unavoidable, preferably within twelve weeks from the date of communication of this order to the learned Court below.

This would not, however, prevent the court below to ensure logical conclusion of the suit with utmost expedition, after adhering to the provisions of law.

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 the opposite party.

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)