

21.03.2023

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**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.O. 115 of 2022

KEC International Limited

versus

Subharthi Mandal & ors.

Mr. Pijush Chaturvedi
Mr. Swagatam Deb
... For the petitioner

This application under Article 227 of the Constitution of India has been filed by the defendant no.1-petitioner for expeditious disposal of its application under Order VII Rule 11 of the Civil Procedure Code filed in Title suit no. 236 of 2020 pending before learned Civil Judge (Junior Division), 1st Court, Baruipur.

The brief fact of the case is that the plaintiffs filed a suit for declaration and permanent injunction being Title suit no.236 of 2020 and in the said suit the defendant no.1 filed an application under Order VII Rule 11 of the Civil Procedure Code for rejection of the plaint. However, the same is still pending, hence, this revision.

It is found from the orders of the learned trial court placed that defendant no.1 filed an application under Order VII Rule 11 of the Civil Procedure Code on 27th August, 2021 in the suit and since then the application is pending. In the aforesaid backdrop, the learned Trial Judge is directed to dispose of the said

application under Order VII Rule 11 of the Civil Procedure Code preferably within a period of three months from the date of communication of this order without granting any unnecessary adjournment to either of the parties.

Learned Advocate for the petitioner-defendant no.1 is directed to communicate this order to the learned Trial Court as well as to the plaintiffs and their learned Advocates.

With the aforesaid directions, the Civil Revisional application being **C.O. 115 of 2022** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)