

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 373 of 2023

Dev Sarker
Vs.
Arati Ghosh & Ors.

Mr. Debdut Mukherjee
Mr. Meghajit Mukherjee
... For the petitioner

Mr. Debdatta Saha
... For the opposite party nos.1 to 5

Mr. Debnath Ghosh
Mr. S. Dasgupta
Mr. Souvik Ganguly
Mr. S. Beniwala
... For the opposite party no.8

Ms. Shohini Chakrabarty
Ms. Prajaaini Das
... For the opposite party nos.9-12 & 14-17

Affidavit of service filed in Court today is taken on
record.

It is submitted by the learned advocates appearing
on behalf of the contested parties that an application
under Order VII Rule 11 of the Code of Civil Procedure filed
by the contesting opposite parties is still pending and
necessary direction may be given to the learned Civil Judge
for disposal of this case and thereafter application under
Order XXXIX Rules 1 and 2 of the Code of Civil Procedure
which is also ready for hearing.

Considering the submissions advanced on behalf of
the contesting parties, the learned Civil Judge (Senior

Division), 1st Court at Alipore is requested to dispose of the application under Order VII Rule 11 of the Code of Civil Procedure first and thereafter if the Title Suit, being No.1203 of 2022 revives, the learned Judge is also requested to dispose of the application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, which is also ready for hearing, as expeditiously as possible.

Learned advocates appearing on behalf of the contesting parties are at liberty to communicate this order to the Civil Judge (Senior Division), 1st Court at Alipore, as well as the learned advocates appearing on behalf of the opposite parties before the learned Trial Court.

With the above observation, the revisional application, being CO 373 of 2023, stands disposed of.

All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court without insisting upon production of a certified copy thereof.

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

(Bibhas Ranjan De, J.)