

26.9.2023
151
Ct. no. 652
sb

C.O. 391 of 2015

Taj Narayan Thakur & Ors.
Vs.
Prakash Kumar Damani & ors.

Mr. Prasanta Naskar ...for the Petitioners

This is an application seeking expeditious disposal of the defendant's application dated 3.3.2014 wherein the defendants have prayed for dismissal of the suit on the ground of non-disclosure of cause of action.

Since the prayer made by the petitioner is innocuous and if it is heard and disposed of in the absence of the opposite parties in terms of the prayer made in the application, neither party will have a cause to prejudice, the service of notice as well as the application upon the opposite parties is dispensed with.

On perusal of the aforesaid application, I find that the petitioner has prayed for expeditious disposal of the application filed by the defendant seeking dismissal of the suit being Title Suit no. 157 of 2013 pending before learned Civil Judge (Junior Division), 3rd Court, Howrah on the grounds stated therein.

In such view of the matter, C.O. 391 of 2015 is disposed of with a direction upon the court below to dispose of the defendant's application dated 3.3.2014

filed in aforesaid T.S. no. 157 of 2013 within a fortnight from the date of receipt of this order, if the said application has not yet been disposed of in the meantime.

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

(Ajoy Kumar Mukherjee, J.)