

S/L 6
21.3.2023
Court No.652
SD

CO 987 of 2020

M/s. Child Care Aqua Fountain
Vs.
Sri Pradip Bhattacharjee

Mr. Satyam Mukherjee
Ms. Sayani Ahmed

...for the Petitioner.

In spite of service, the opposite party is not represented.

This is an application under Article 227 of the Constitution of India preferred against the order no.22 dated 13.02.2020 passed by the learned District Judge, North 24 Parganas at Barasat in Title Appeal No.43 of 2017 arising out of Title Suit No.226 of 2011.

By the impugned order, learned court below was pleased to reject the appellant's prayer for bringing the lower court records for the disposal of the said appeal. This revisional application has been preferred as the appeal was fixed for hearing without giving an opportunity to the petitioner to move the application for stay which was filed on 16.8.2017.

Having considered the aforesaid facts and circumstances of the case, the present application being CO 987 of 2020 is disposed of with a direction upon the learned court below to dispose of the appellant's application dated 16.8.2017, if it is still pending for disposal within a period of

four weeks and then to hear out the appeal itself as expeditiously as possible preferably within a period of six months from the date of communication of the order.

There will be no order as to costs.

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

(Ajoy Kumar Mukherjee, J.)