

04.01.2023
Item No.3
Ct. No.7
CHC
(disposed of)

C.O. 2384 of 2022

**Santimoy Mallick
Vs.
Cresswell Breweries Limited & ors.**

Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee
...for the petitioner

Mr. S. P. Tewary
...for the opposite parties

A direction to secure expeditious disposal of an interlocutory application, dated 16th January, 2021, challenging the maintainability of the appeal, is the only relief sought for in this case.

The only contention expressed by the petitioner is against the delay caused in the disposal of interlocutory application referred hereinabove.

Mr. Tewary, learned advocate appearing for the opposite parties submits that the interlocutory application may be directed to be disposed of along with Title Appeal No.82 of 2016, now pending before learned District Judge, Hooghly. The allegations contained in the revisional application, though not pressed by Mr. Roy at this stage, is however, denied by the opposite parties.

Having considered the submission of both sides, the revisional application stands disposed of directing the learned District Judge, Hooghly, in Title Appeal No.82 of 2016 to ensure expeditious disposal of interlocutory application dated 16th January, 2021 filed by the petitioner challenging the maintainability of the appeal, 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 any unnecessary adjournment, preferably within eight (08) weeks from the date of communication of this order to the court below.

This would not, however, prevent the court below to reach logical conclusion of the appeal with utmost expedition without granting unnecessary adjournment.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite parties and their learned advocate in the court below.

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

(Subhasis Dasgupta, J.)