

18.10.2023
Item No.33
gd/ssd

CO/3327/2023

SUKUMAR GHORAI ORS.
VS
MADHABI MUKHERJEE

Mr. Tanmoy Mukherjee,
Mr. Emon Bhattacharjee,
Mr. Swapnamoy Sarkar,
Mr. Soumava Santra
..for the petitioners.

The grievance of the petitioners is that an application under Order XII Rule 6 of the Code of Civil Procedure has been filed as far back as in the month of February, 2021 but the same is still pending.

Upon a query of the Court, Mr. Mukherjee, learned Advocate appearing for the petitioners submits that no date for hearing of such application has yet been fixed by the learned court below. He submits that dates have been fixed for hearing of other applications which may not be necessary in view of the filing of the application under Order XII Rule 6 of the Code of Civil Procedure.

In view of such submission, CO 3327 of 2023 is disposed of by giving liberty to the petitioners to approach the learned court below on the next date fixed i.e. on 29th November, 2023 for fixing a date of

hearing of the application under Order XII Rule 6 of the Code of Civil Procedure.

Upon such an approach being made, the learned Civil Judge (Senior Division), at Sealdah is requested to fix an early date of hearing of the application under Order XII Rule 6 of the Code of Civil Procedure filed in connection with Ejectment Suit No.14 of 2016 and to dispose of the same as expeditiously as possible but preferably within a period of two months from the date to be fixed by the learned Judge of the court below.

It is made clear that such application shall be disposed of without grating any unnecessary adjournments to either of the parties.

In the event the regular Presiding Officer is not available, the charge court is requested to take up the hearing of the application and dispose of the same in terms of the aforesaid direction.

There will be no order as to costs.

Urgent certified copy of this order, if applied for, be given to the learned advocates for the parties on usual formalities.

(HIRANMAY BHATTACHARYYA, J.)