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C.O. 3555 of 2022

**Sri Benoy Kumar Bal & Anr
Vs
Sri Chiranjib Deb**

Ms. Sutapa Sanyal,
Mr. Amit Chowdhury,

... For the petitioners.

A direction to secure expeditious disposal of a restoration application under Order 9 Rule 9 of the CPC, registered as Misc Case No. 40 of 2018 arising out of Title Suit No. 66 of 2004 of learned Civil Judge (Senior Division), 2nd Court, Baruipur, is the ultimate relief sought for in this case.

The only contention expressed by the petitioners is against the delay caused in the disposal of the referred Misc Case, which was filed on 8th January, 2014.

No other point is raised requiring address by this Court.

In view of the nature of the order proposed to be made in the case, no prior notice is considered to be necessary.

Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Senior Division), 2nd Court, Baruipur in Misc Case No. 40 of 2018 arising out of Title Suit No. 66 of 2004 is

requested to ensure expeditious disposal of restoration application, 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 unnecessary adjournment, unless it is extremely unavoidable, preferably before the end of Summer Vacation of the Court below.

Petitioners are directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite party and the opposite party.

With this observation and direction, the revisional application stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)