

17.09.2024
Item No.35, DL
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 1869 of 2024

Smt. Nita Chakraborty & Anr.

-Vs-

Shri Sankar Prasad Chakraborty & Anr.

Mr. Souvick Mitra,
Mr. N. Roy.for the petitioners.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The defendants in a suit for damages for defamation are the petitioners of the instant application under Article 227 of the Constitution of India.

The said suit being Money Suit No. 273 of 2020 is pending before the 2nd Court of the learned Civil Judge (Senior Division) at Barasat, District : 24-Parganas (North).

The petitioners are complaining delay in disposal of the said suit and are praying a direction for expeditious disposal of it.

It appears from the record that the suit had once reached to the stage of peremptory hearing but due to the filing of an application for amendment of plaint, it was taken off from the peremptory Board but the said application has not yet been disposed of.

The defendants have been directed to show cause as to why the said application shall not be allowed *ex parte* for their failure to file written objection to it in time.

Learned Advocate for the petitioners submits that inspite of filing the reply to the said show cause, there has been no progress in the matter.

The application for amendment since is pending for a substantial period of time, the learned Trial Judge, therefore, is directed to dispose of the said application as expeditiously as possible in accordance with law, if it is otherwise ready for such disposal, and thereafter shall make all endeavour to expedite the disposal of the suit and in doing so, shall not grant any unnecessary adjournment to either of the parties.

C.O. 1869 of 2024 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)