

24.01.2024
Item No.85
Ct. No. 7
KS

C.O. 3523 of 2023
Bahauddin
Vs.
Sabiha Anjum

Mr. Dhiraj Trivedi
Mr. Sunil Gupta
Ms. Swapna Jha

.....for the Petitioner

1. This is an application for expeditious hearing of Ejectment Suit No.109 of 2020 pending before the learned Judge, 3rd Bench, Presidency Small Causes Court at Calcutta.
2. Learned advocate appearing for the petitioner submits that the defendant/opposite party herein filed an application under Order 39 Rule 7 of the Code of Civil Procedure on 5th September, 2022 and the same is still pending. He further submits that the hearing of such application has been fixed on 18th April, 2024.
3. Since the application filed under Order 39 Rule 7 of the Code of Civil Procedure at the instance of the defendant is pending from September, 2022, this Court is of the considered view that the same is to be disposed of expeditiously.
4. In view of the submission of the learned advocate appearing for the petitioner, C.O. 3523 of 2023 is disposed

of by requesting the learned Judge, 3rd Bench, Presidency Small Causes Court at Calcutta to take up the hearing of the application filed by the defendant/opposite party herein on the next date fixed i.e. 18th April, 2024 and to dispose of the same as expeditiously as possible, but preferably within a period of three weeks from the next date fixed for hearing.

5. After disposal of such application and other interlocutory applications, the learned Judge of the Court below shall make an endeavour to dispose of the suit as expeditiously as possible without granting any unnecessary adjournments to either of the parties.
6. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Hiranmay Bhattacharyya, J.)