

S/L - 9
25.11.2024
Court. No. 3
S.Kundu

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

C.O. 195 of 2024

Sri Anand Kumar Agarwala & Ors.
Vs.
Smt. Manju Devi Agarwal @ Manju Agarwal & Ors.

Mr. Sandip Mondal,
Mr. Abhilash Mitra

...for the petitioners.

1. The present application has been filed *inter alia*, praying for expeditious disposal of the application filed under Section 151 of the Code of Civil Procedure by the plaintiffs.
2. Considering the nature of relief sought for the present revisional application has been taken up for consideration without prior service thereof on the opposite parties.
3. Learned advocate appearing in support of the above revisional application would submit that although the application under Section 151 of the Code of Civil Procedure was filed on 29th May, 2023 and despite the fact repeated opportunity had been provided to the defendants, the defendants are not cooperating. Even on the last date fixed i.e. on 5th October, 2024, since, the defendants did not appear, considering the hardship faced by the petitioners, though the

petitioners were heard but the matter had been adjourned till 8th January, 2025, to enable the defendants to be represented.

4. Having heard the petitioners and having considered the materials on record I see no irregularity in the learned Judge permitting the defendants a further opportunity. However, taking note of the fact that the instant application under Section 151 of the Code of Civil Procedure is pending since 29th May, 2023, I am of the view that the learned Court should take steps to hear out and dispose of the application under Section 151 of the Code of Civil Procedure on the next date fixed, without granting any unnecessary adjournments.
5. With the above direction and observation, the revisional application is disposed of.
6. The petitioner is directed serve the above application with this order on the opposite parties.

(Raja Basu Chowdhury, J.)