

20.08.2025
Item 891 ML.
Court No.6.
AB

C. O. 53 of 2025

**M/s. Sandeep Construction
Vs
Prahlad Ray & Others**

Mr. Siddhartha Banerjee,
Mr. Dwaipayan Basu Mallick,
Mr. Meghnad Dutta,
Mr. Subhankar Chakraborty,
Mr. Saptarshi Bhattacharya,
Ms. Harshita Nathfor the Petitioner.

Mr. Kushal Chatterjee,
Ms. Sayani Gupta ...for the Opp. Parties.

This application under Article 227 of the Constitution of India is at the instance of the defendant nos.1 to 4 challenging the orders dated August 2, 2024 and September 11, 2024, both passed by the learned Civil Judge (Jr. Division), Bidhannagar in Title Suit No.167 of 2023.

Mr. Banerjee, learned advocate appearing for the petitioner, submits that the disputes between the parties have been settled as would be evident from the report of the Mediator. He submits that thereafter the opposite parties filed an application under Order 23 Rule 3 of the Code of Civil Procedure for recording the terms of settlement and for passing an order thereupon. Mr. Banerjee submits that no order has yet been passed on such application.

Mr. Chatterjee, learned advocate appearing for the opposite parties, submits that he does not dispute the fact that the disputes between the parties have been amicably settled. He submits that a direction be passed upon the learned Trial Judge to dispose of the suit on the basis of the application filed under Order 23 Rule 3 of the Code of Civil Procedure expeditiously.

Pursuant to the order passed by this Court, the Trial Court records have arrived. The Office is directed to immediately transmit the records of Title Suit No.167 of 2023 to the Court of the Learned Civil Judge (Jr. Division), Bidhannagar, 24 Parganas (North) through special messenger at the cost of the petitioner to be put in within a week from date.

The learned Trial Judge is requested to fix an early date of hearing of the application under Order 23 Rule 3 of the Code of Civil Procedure and to dispose of the same in accordance with law.

With the aforesaid observation, C. O. No.53 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)