

05.05.2025

Item no. ML28
Court No. 6

Asraf, A.R.(Ct.)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

Case No. **CO 1126 of 2025**

SRI SUBHASISH GHOSH

.... Petitioner

VS.

SMT. SONALI MUKHERJEE

....Opposite Party

For the Petitioner :

Mr. Kaushik Dey

Mr. Debdipto Banerjee

Mr. Soumen Banerjee

....Advocates

This application under Article 227 of the Constitution of India is at the instance of the decree holder praying for a direction upon the learned Civil Judge (Senior Division), 2nd Court, Barasat to dispose of the Misc. Case No.36 of 2022 expeditiously.

The learned advocate appearing for the petitioner submits that the Title Suit No.14 of 2010 was decreed ex parte on December 24, 2021. The opposite party herein filed the Misc. Case No.36 of 2022 praying for setting aside the ex parte judgment and decree dated December 24, 2021. He submits that the miscellaneous case is otherwise ready for hearing and the opposite party herein is delaying the hearing of the miscellaneous case.

In view of the order sought and proposed to be passed, this Court feels that there is no necessity to

direct issuance of any notice upon the opposite party. However, the learned advocate appearing for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party or upon the learned advocate representing the opposite party before the learned Trial Judge.

From the ordersheets appended to this application, this Court finds that March 29, 2025 was fixed for hearing of the stay application. The learned advocate appearing for the petitioner submits that the hearing of the stay application was adjourned and the next day has been fixed on May 17, 2025.

In the light of the submissions made by the learned advocate appearing for the petitioner, **CO 1126 of 2025** is **disposed of** by requesting the learned Civil Judge (Senior Division), 2nd Court, Barasat to take up the hearing of the stay application, if the same is otherwise ready for hearing, on the next date fixed, i.e., on May 17, 2025 and to make an endeavour to see that the stay application is disposed of as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

After disposal of the stay application, the learned Civil Judge (Senior Division), 2nd Court, Barasat is requested to make an endeavour to see that

the Misc. Case No.36 of 2022 is disposed of expeditiously.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)