

Sl.7
10.07.2025
Court No.6
BP

C.O. 1418 of 2025

M/s. Shree Balajee Construction
-versus-
Subhas Roy

Mr. Kushal Chatterjee
Mr. Shibjit Mitra
..for the petitioner

This matter was mentioned by Mr. Chatterjee, learned advocate appearing for the petitioner yesterday by submitting that this Court passed directions for expeditious hearing in suit arising out of the same building.

In the light of such submission, this matter was directed to appear in the list today.

This application under Article 227 of the Constitution of India is at the instance of the plaintiff praying for a direction upon the learned Civil Judge (Junior Division), Bidhannagar to dispose of Title Suit No. 178 of 2023 expeditiously.

Mr. Chatterjee, learned counsel appearing for the petitioner, submits that though several dates for framing of the issues were fixed, but issues are yet to be framed. He further submits that at that stage the opposite party has filed an application praying for repairing of the suit property but only for the purpose delaying the hearing of the suit.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite party. However, learned counsel for the petitioner shall be obliged to forward a copy of the application under Article 227 of the Constitution of India along with this order upon the opposite party or upon the learned counsel representing the opposite party before the trial judge.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that 8th July, 2025 was fixed for hearing of the application under Section 151 of the Code of Civil Procedure. He submits that on 8th July, 2025 the application was heard in part and next date has been fixed.

In the light of the submissions made by the learned advocate for the petitioner, C.O. 1418 of 2025 stands disposed of by requesting the learned Civil Judge (Junior Division), Bidhannagar to dispose of the application under Section 151 of the Code of Civil Procedure in Title Suit No. 178 of 2023 as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

The learned trial judge is requested to frame issue expeditiously. The learned trial judge is further requested to make an endeavour to see that the suit is disposed of as expeditiously as possible without granting unnecessary adjournment to either of the parties.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

(Hiranmay Bhattacharyya, J.)