

Sl.24
10.06.2025
Court No.6
BP

C.O. 1902 of 2025

Utpal Mandal
-versus-
Arati Mandal & Ors.

Mr. Anindya Sundar Das
Mr. Shaunak Ghosh
Ms. Taslima Khatun
Ms. Suva Gayen
Ms. Paramita Mondal
Mr. Suman Halder
... for the petitioner

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), 1st Court at Basirhat to dispose of the Miscellaneous Case No. 57 of 2023 expeditiously.

The plaintiff obtained an ex parte decree on 31st August, 2023. The opposite parties filed a miscellaneous case under Order 9 Rule 13 of the Code of Civil Procedure which was registered as Misc. Case No. 57 of 2023.

The learned advocate appearing for the petitioner submits that the opposite parties are trying to delay the hearing of the miscellaneous case

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite parties. 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 parties

or upon the learned advocates representing them before the learned trial judge.

From the order-sheets appended to this application this Court finds that 23rd May, 2025 has been fixed for hearing of the miscellaneous case.

In the light of the of the submissions made by the learned advocate for the petitioner, C.O. 1902 of 2025 stands disposed of by requesting the learned Civil Judge (Junior Division), 1st Court at Basirhat to take up the hearing of the miscellaneous case on the next date fixed and to make an endeavour to see that the same is disposed of as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)