

M/L - 139
18/03/2025
Court. No. 6
S.Kundu

C.O. 1804 of 2024

**Sri Biswanath Ghosh
Vs.
Sri Soumen Ghosh & Ors.**

Mr. Sudip Das

...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 (Senior Division), Additional Court at Hooghly to decide the application filed by the petitioner pursuant to the liberty granted by the coordinate Bench by an order dated 26th March, 2021 in CO 4138 of 2019.

Mr. Das learned advocate appearing for the petitioner submits that Receiver was appointed in respect of the suit property by the learned Trial Judge. It is the allegation of the petitioner that the Receiver is not submitting the accounts before the learned Trial Judge which prompted the petitioner to approach this Court by filing CO 4138 of 2019. Coordinate Bench of this Court by an order dated 26th March, 2021 gave liberty to the petitioner to apply before the learned Trial Judge for appropriate orders. Mr. Das submits that

such application has been filed by the petitioner and the same is fixed for hearing on 26th March, 2025.

Mr. Das submits that the direction be given to the learned Trial Judge to dispose of such application expeditiously.

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 advocate on record of the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party or the learned advocate(s) representing the opposite party before the learned Trial Judge.

In the light of the submissions made by the learned advocate for the petitioner, CO 1804 of 2024 is disposed of by requesting the learned Civil Judge (Senior Division), Additional Court at Hooghly to take up the hearing of the application filed by the petitioner pursuant to the liberty granted by the coordinate Bench in CO 4138 of 2019, if the same is otherwise ready for hearing and dispose of the same as expeditiously as possible without granting unnecessary adjournments to either of the parties.

With the above observations and directions, C.O. 1804 of 2024 stands disposed of.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Hiranmay Bhattacharyya, J.)