

D/L- 27
03/07/2025
Ct. No.-6
Aritra

C.O. 2061 of 2025

**Radha Nath Nandy
Vs.
Ashoke Modi & Ors.**

With

C.O. 1979 of 2024

**Ashoke Modi & Anr.
Vs.
Sri Radha Nath Nandy & Anr.**

Mr. Radha Nath Nandy
...for the petitioner (in person)

Mr. Abdul Masood
Ms. Debanwita Pramanik
....for the opposite parties

This application under Article 227 of the Constitution of India is directed against an order dated May 19, 2025 passed by the learned Civil Judge (Jr. Div.), 2nd Court at Alipore in Title Suit No.153 of 2012.

The petitioner appearing in person submits that several civil revision applications are pending before this Court arising out of the said suit. He submits that the learned trial judge is proceeding with the hearing of the title suit when several issues are pending for adjudication before this Court.

The learned advocate for the opposite party submits that the opposite party has filed an application under Article 227 of the Constitution of India being CO 1979 of 2024 praying for expeditious hearing of the

application under Section 151 of the Code of Civil Procedure.

With the consent of the learned advocate for the respective parties CO 1979 of 2024 is also taken up for analogous hearing.

This Court finds that by an order dated May 19, 2025 the hearing of the application under Section 151 of the Code of Civil Procedure was fixed on June 20, 2025. It has been submitted by the petitioner appearing in person that August 7, 2025 has been fixed for further hearing of the application under Section 151 of the Code of Civil Procedure.

After hearing the learned advocates for the respective parties, this Court is of the considered view that interest of justice would be sub-served if the learned trial judge is directed to dispose of the application under Section 151 of the Code of Civil Procedure expeditiously.

In view thereof CO 2061 of 2025 and CO 1979 of 2024 are disposed of by requesting the learned Civil Judge (Jr. Div.), 2nd Court at Alipore to make an endeavour to see that the application under Section 151 of the Code of Civil Procedure is disposed of as expeditiously as possible but preferably within a period of eight (8) weeks from the next date fixed without granting any unnecessary adjournments to either of the parties.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)