

Court No. 6  
(265719)

**09.07.2025**  
(AD 12)  
(S. Banerjee)

CO 2369 of 2025

Santana Chatterjee & Ors.  
Vs.  
Smt. Rina Chatterjee & Ors.

Mr. Tanmay Mukherjee  
Mr. Tapas Chatterjee  
Mr. Sauvik Das  
Mr. Rudranil Das  
Mr. K. R. Ahamed

...for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the defendants praying for a direction upon the learned Civil Judge (Sr. Division), 5<sup>th</sup> Court at Alipore to dispose of the Misc. Case No. 47 of 2021 expeditiously.

Mr. Mukherjee, learned advocate appearing for the petitioners submits that the opposite parties herein filed the aforesaid misc. case under the provisions of Order 9 Rule 13 of the Civil Procedure Code. He further submits that two interlocutory applications, one filed by the opposite parties under Order 6 Rule 17 of the Civil Procedure Code and the other filed by the petitioner herein under Section 151 of the Civil Procedure Code, are pending.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any

notice upon the opposite parties. However, the learned advocate-on-record of the petitioners shall be obliged to forward a copy of this application along with this order, upon the opposite parties or upon the learned advocate representing them before the learned trial judge.

Mr. Mukherjee, learned advocate appearing for the petitioners submits that July 17, 2025 has been fixed for hearing of the application under Order 6 Rule 17 of the Civil Procedure Code.

In the light of the submission made by the learned advocate appearing for the petitioners, CO 2369 of 2025 stands disposed of by requesting the learned Civil Judge (Sr. Division), 5<sup>th</sup> Court at Alipore to take up the hearing of the application under Order 6 Rule 17 of the Civil Procedure Code filed in Misc. Case No. 47 of 2021 on the next date fixed, if the same is otherwise ready for hearing, and make an endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties. After disposal of the interlocutory application the learned trial judge shall make an endeavour to dispose of the misc. case as expeditiously as possible.

**(Hiranmay Bhattacharyya, J.)**