

08.07.2025
Item no. 16.
Court No.6.
AKG

C. O. 2384 of 2025

**Mira Rani Saha
Vs
Ratan Kumar Saha**

Mr. Sovan Mukherjee

.....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 (Jr. Division) at Bidhannagar to dispose of Misc. Case No. 44 of 2022 expeditiously.

Learned advocate appearing for the petitioner submits that the suit was decreed ex parte. The opposite party herein filed an application for setting aside the decree under Order 9 Rule 13 of the Code of Civil Procedure along with an application under Section 5 of Limitation Act for condonation of delay. He submits that the application under Section 5 of Limitation Act to condone the delay in preferring the Misc. Case No. 44 of 2022 is still pending.

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 Court.

From the order sheet appended to this application, this Court finds that the hearing of the application Section 5 of Limitation Act is fixed on August 30, 2025.

In the light of the submissions made by the learned advocate appearing for the petitioner, C. O. No. 2384 of 2025 is disposed of by requesting the learned Civil Judge (Jr. Division) at Bidhannagar to make endeavour to dispose of the application under Section 5 of Limitation Act, if the same is otherwise ready for hearing as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

(Hiranmay Bhattacharyya, J.)