

04.07.2025
Item no. 23
Court No.6.
AB

C. O. 2388 of 2025

**Sri Prem Chand Roy & Others
Vs
M/s. Samaritan Clinic (P) Limited**

Mr. Sanjay Sahafor the Petitioners.

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 (Sr. Division), 9th Court, Alipore to dispose of Title Suit No.104 of 2011 expeditiously.

The learned advocate for the petitioners submits that on an earlier occasion, a Coordinate Bench by an order dated June 20, 2023 in C. O. No.1790 of 2023 passed an order directing the learned Trial Judge to decide the pending application and the suit within the time limit mentioned in the said order. He further submits that in spite of such direction, the learned Trial Judge has not adhered to the said direction.

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite party. However, the learned advocate appearing for the petitioners shall be obliged to forward a copy of this application along with this order upon the opposite party or upon the learned advocates

representing the opposite party before the learned Trial Court.

From the order-sheet appended to this revisional application, this Court finds that several interlocutory applications under Order 1 Rule 10(2) of the Code of Civil Procedure dated 27.04.2017, petition under Order 22 Rule 3 dated 21.10.2020, petition under Section 5 dated 21.10.2020 and petition under Order 22 Rule 3 dated 11.08.2021 are pending. Since the applications for substitution after setting aside the abatement as well as substitution applications are pending, no direction for expeditious hearing of the suit cannot be passed at this stage.

C. O. No.2388 of 2025 stands disposed of with the hope and trust that the learned Civil Judge (Sr. Division), 9th Court at Alipore shall make an endeavour to dispose of the aforesaid pending applications as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

(Hiranmay Bhattacharyya, J.)