

Court No. 6
(265719)

18.07.2025
(AD 10)
(S. Banerjee)

CO 2535 of 2025

Pradip Kumar Banerjee
Vs.
Sudip Kumar Banerjee

Mr. Sarbananda Sanyal
Ms. Paulami Chakraborty
Mr. Samrat Chakraborty

... 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), 2nd Court at Barrackpore to dispose of Title Suit No. 217 of 2021 expeditiously.

Mr. Sanyal, learned advocate appearing for the petitioner submits that in spite of a direction passed by a coordinate bench on September 12, 2023 in CO 2399 of 2023 directing the learned trial judge to dispose of the suit within a period of eight months from the next date fixed, the time limit fixed by this court has not been adhered to. He further submits that the date has been fixed for evidence of the DW-3.

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, the 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 upon the learned advocate representing the opposite party before the learned trial judge.

From the materials on record it is evident that a coordinate bench passed an order on September 13, 2023 in CO 2399 of 2023 directing the learned trial judge to dispose of Title Suit No. 217 of 2021 within a period of eight months from the next date fixed without granting unnecessary adjournments to either of the parties and upon giving adequate opportunity to the opposite party to contest the proceeding. Thus, no further direction for expeditious hearing is warranted in the case on hand.

CO 2535 of 2025 stands disposed of by requesting the learned Civil Judge (Jr. Division), 2nd Court at Barrackpore to make an endeavour to dispose of Title Suit No. 217 of 2021 as expeditiously as possible without granting any unnecessary adjournment to either of the parties keeping in mind the direction passed by the coordinate bench in CO 2399 of 2023 on September 13, 2023.

(Hiranmay Bhattacharyya, J.)