

Sl 38
23.07.2025
Court No.6
BP

C.O. 2645 of 2025

Indian Oil Corporation Limited & Ors.
-versus-
Sri Somenath Biswas & Ors.

Mr. Amit Kumar Nag
Mr. Partha Banerjee
... for the petitioners

Mr. Sibnath Ganguly
....for the opposite parties

This application under Article 227 of the Constitution of India is at the instance of the appellant in Title Appeal No. 5 of 2017 praying for a direction upon the learned Additional District Judge, Fast Track Court, Court-II at Sealdah to dispose of the application under Section 5 of the Limitation Act praying for condonation of delay in preferring the Miscellaneous Case No. 18 of 2019 expeditiously.

The learned advocate appearing for the petitioners submits that the application under Section 5 of the Limitation Act is pending and the next date has been fixed only on 6th August, 2025. He further submits that the application under Section 5 of the Limitation Act is otherwise ready for hearing.

Heard the learned advocate for the opposite parties. He submits that the petitioners are trying to delay the hearing of the miscellaneous case. He further submits

that the sole intention of the petitioners is to stay the execution case.

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 petitioners 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 judge.

In the light of the submissions made by the learned advocate for the parties, C.O. 2645 of 2025 stands disposed of by requesting the learned Additional District Judge, Fast Track Court, Court-II at Sealdah to take up the hearing of the application under Section 5 of the Limitation Act on the next date fixed, if the same is otherwise ready for hearing and to make an endeavour to dispose of the same as expeditiously as possible without granting unnecessary adjournments to either of the parties.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)