

Sl.35
28.07.2025
Court No.6
BP

C.O. 2690 of 2025

Bivas Mallick & Ors.
-versus-
Malay Jana

Mr. Ahitagni Dey
... 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 (Junior Division), 2nd Court, Uluberia to dispose of an application under Order 39 Rule 4 of the Code of Civil Procedure filed in Title Suit No. 329 of 2025 expeditiously.

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.

The learned advocate appearing for the petitioners submits that the learned trial judge has fixed the hearing of the application under Order 39 Rule 4 of the Code of Civil Procedure on 6th August, 2025. He further submits that the learned Presiding Officer has been transferred and a direction be passed upon the charge court to dispose of the application expeditiously.

C.O. 2690 of 2025 stands disposed of with the hope and trust that an endeavour shall be made by the trial judge to dispose of the application under Order 39 Rule 4 of the Code of Civil Procedure as expeditiously as possible without granting any unnecessary adjournments to either of the parties after the regular Presiding Officer joins.

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.)