

Sl.14
06.08.2025
Court No.6
BP

C.O. 2699 of 2025

Titagarh Wagons Limited
-versus-
Umakant Mishra

Mr. Sayantan Bose
Ms. Dakshayani Basu
... for the petitioner

Mr. Dyutiman Banerjee
Mr. Vishal Mallick
..for the opposite party

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 (Senior Division), 3rd Court at Barasat to dispose of Title Suit No. 126 of 2023 expeditiously.

The learned advocate appearing for the petitioner submits that an application under Order 39 Rule 1 and 2 of the Code of Civil Procedure filed in Title Suit No. 126 of 2023 is otherwise ready for hearing and 2nd September, 2025 has been fixed for hearing of such application.

Mr. Banerjee, learned advocate appears for the opposite party. He submits that an application under Order 6 Rule 17 of the Code of Civil Procedure filed by the petitioner herein is also pending. Mr. Banerjee draws the attention of the Court to an order dated 4th July, 2024 passed by the Hon'ble Division Bench in FMAT 243

of 2023 requesting the learned trial judge to dispose of the application for injunction expeditiously.

In the light of the submissions made by the learned advocates for the respective parties and taking note of the direction passed by the Hon'ble Division Bench in the order dated 4th July, 2024 in FMAT 243 of 2023, C.O. 2699 of 2025 stands disposed of by requesting the learned Civil Judge (Senior Division), 3rd Court at Barasat to make an endeavour to dispose of the pending applications one under Order 6 Rule 17 of the Code of Civil Procedure and the pending applications under Order 39 Rule 1 and 2 of the Code of Civil Procedure as expeditiously as possible without granting any 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.)