

Sl.27
06.08.2025
Court No.6
BP

C.O. 2773 of 2025

Dr. Debasish Paul & Ors.
-versus-
Smt. Sashi Prova Agarwal & Anr.

Mr. Anirban Saha Roy
... for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the decree holder praying for a direction upon the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta to dispose of the Miscellaneous Case No. 83 of 2019 expeditiously.

Mr. Saha Roy, learned advocate appearing for the petitioners, in his usual fairness, submits that the opposite parties herein have preferred a second appeal before this Hon'ble Court challenging the judgement and decree passed in the first appeal. He submits that the application under Section 5 of the Limitation Act for condonation of delay in filing the second appeal is yet to be condoned. He further submits that the Miscellaneous Case No. 83 of 2019 was filed for police help and the same is at the evidence stage.

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 executing court.

From the ordersheets appended to this application this Court finds that 18th August, 2025 has been fixed for cross examination of P.W.2 by the opposite party in the miscellaneous case as a last chance.

C.O. 2773 of 2025 stands disposed of by requesting the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta to make an endeavour to dispose of the Miscellaneous Case No. 83 of 2019 as expeditiously as possible without granting any unnecessary adjournments to either of the parties subject to any order of stay that may be passed in the second appeal or in any other proceedings.

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.)