

Sl.19
11.08.2025
Court No.6
BP

C.O. 2883 of 2025

Mr. Sushil Kumar Biswas
-versus-
Mrs. Shibani Dey & Ors.

Mr. Kushal Chatterjee
Mr. Oishik Chatterjee
... 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 (Junior Division), 2nd Court at Barrackpore to dispose of the Ejectment Suit No. 17 of 2013.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that an application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 along with Section 5 of the Limitation Act filed by the opposite party herein stood dismissed and the opposite party filed an application for recalling of such order. He submits that the said application is still pending before the learned trial judge.

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 petitioner 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.

From the ordersheets appended to this application this Court finds that the application for recalling filed on 6th January, 2025 is fixed for hearing on September 11, 2025.

In the light of the submissions made by the learned advocate for the petitioner, C.O. 2883 of 2025 stands disposed of by requesting the learned Civil Judge (Junior Division), 2nd Court at Barrackpore to take up the hearing of the application dated 6th January, 2025 on the next date fixed i.e. on 11th September, 2025, if the same is otherwise ready for hearing, and to make an endeavour to dispose of the same as expeditiously as possible but preferably within a period of four weeks from the next date fixed. After disposal of the said application the learned trial judge is requested to proceed with the hearing of the Ejectment Suit No. 17 of 2013 and to make an endeavour to dispose of the same 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.)