

14.08.2025

Item no.DL 20
Court No. 06

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side

Case No. **CO 2951 of 2025**

In the matter of :
JAYASREE CHOUDHURY *.... Petitioner*

VS.

PRATIMA MITRA *....Opposite Party*

For the Petitioner :
Mr. Asish Bhattacharyya, Sr. Advocate
Mrs. Paramita Pal
Mr. Soumojit Sen
Ms. Lucky Patra
....Advocates

This application under Article 227 of the Constitution of India is at the instance of the plaintiff / appellant in Title Appeal no.32 of 2019 praying for a direction upon the learned Additional District Judge, 4th Court at Malda to dispose of Misc. Case no.13 of 2023 expeditiously.

The learned advocate appearing for the petitioner submits that the Title Appeal stood dismissed for default and for restoration of the same, the petitioner has filed an application under Order XLI Rule19 of the Code of Civil Procedure which was registered as Misc. Case no.13 of 2023. He further submits that the Misc. case is otherwise ready for hearing.

From the ordersheets appended to this application, this Court find that PW 1 Jayashree Choudhury was examined and discharged on 3rd August, 2024.

In view of the order sought and proposed to be passed, this Court feels that there is no necessity to direct issuance of any notice upon the opposite party. 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 party or upon the learned advocate representing the opposite party before the learned Judge of the Appellate Court.

In the light of the submissions made by the learned advocate appearing for the petitioner, **CO 2951 of 2025** is **disposed of** by requesting the learned Additional District Judge, 4th Court at Malda to make an endeavour to dispose of Misc. Case no.13 of 2023 as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)