

Court No. 6
(265719)

09.09.2025
(AD 7)
(S. Banerjee)

CO 3297 of 2025

Ashok @ Ashoke Karmakar
Vs.
Aroti @ Arati Mondal & Anr.

Mr. Shibaji Kumar Das
Mr. Dipendu Sarkar

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the first defendant praying for a direction upon the learned Civil Judge (Jr. Division), 2nd Court at Barasat to dispose of Title Suit No. 712 of 2017 expeditiously.

Learned advocate appearing for the petitioner submits that two interlocutory applications, one under Order 6 Rule 17 of the Civil Procedure Code and the other under Order 1 Rule 10, read with Section 151 of the Civil Procedure Code are pending. He further submits that the Commissioner has already submitted the report.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite parties. However, the learned advocate-on-record of the petitioner shall be obliged to forward a copy of this application along

with this order, upon the opposite parties or upon the learned advocate representing them before the learned trial judge.

From the order-sheets appended to this civil revision application this court finds that December 18, 2025 is fixed for hearing of the application under Order 6 Rule 17 of the Civil Procedure Code and the application under Order 1 Rule 10 of the Civil Procedure Code.

In the light of the submission made by the learned advocate appearing for the petitioner, CO 3297 of 2025 stands disposed of by requesting the learned Civil Judge (Jr. Division), 2nd Court at Barasat to take up the hearing of the pending applications one under Order 6 Rule 17 and the other under Order 1 Rule 10 of the Civil Procedure Code on the next date fixed, i.e., on December 18, 2025, if the same is otherwise ready for hearing, and to make an endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

After disposal of the interlocutory applications, the learned trial judge shall make an endeavour to dispose of the suit as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

This order has been passed considering the fact that the title suit is pending from the year 2013.

(Hiranmay Bhattacharyya, J.)