

D/L- 17
09/09/2025
Ct. No.-6
Aritra

C.O. 3328 of 2025

**Chitra Roy Chatterjee & Anr.
Vs.
Sankar Chatterjee**

Mr. Siddhartha Sarkar

....for the petitioners

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 (Sr. Div.), 2nd Court at Barasat to dispose of Miscellaneous Case No.87 of 2015 expeditiously.

The learned advocate appearing for the petitioner submits that a co-ordinate Bench by an order dated June 14, 2019 in C.O. No.1799 of 2019 directed the learned trial judge to dispose of the miscellaneous case preferably within a period of three months from the date of communication of the order to the learned trial judge. He submits that in spite of such direction the miscellaneous case is yet to be disposed of.

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 parties. However, the learned advocate for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite parties or the learned advocates representing the opposite parties before the learned trial judge.

From the order sheets appended to this application, this Court finds that January 17, 2026 has been fixed for hearing of the miscellaneous case under Order 9 Rule 13 of the Code of Civil Procedure.

In the light of the submission made by the learned advocate for the petitioner, CO 3328 of 2025 stands disposed of by requesting the learned Civil Judge (Sr. Div.), 2nd Court at Barasat to make an endeavour to dispose of the Miscellaneous Case No.87 of 2015 as expeditiously as possible but preferably within a period of three months from the next date fixed without granting any unnecessary adjournments to either of the parties.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)