

19.09.2025
Item No.27
PG
Ct. No.6

C.O. 3468 of 2025

**The Election Tribunal of Indian Medical
Association (HQS) & Others
vs.
Election Commission of Indian Medical
Association**

Mr. Joydip Kar, Sr. adv,
Ms. Jyoti Rauth for the petitioners

1. This application under Article 227 of the Constitution of India is at the instance of the Election Tribunal of Indian Medical Association (Headquarters) praying for a direction for expeditious disposal of the application under Order 1 Rule 10(2) of the Code of Civil Procedure filed in T. S. No.800 of 2025 pending before the learned Civil Judge (Sr. Division), 2nd Court at Alipore.
2. Mr. Kar, learned senior advocate appearing for the petitioners submits that the petitioners filed an application under Order 1 Rule 10(2) of the Code of Civil Procedure for striking out the name of the petitioners from the array of parties in the said suit. He submits that the said application is fixed for hearing on 19.01.2026.
3. Considering the issue raised in the application under Order 1 Rule 10(2) CPC, this Court is of the considered view that interest of justice would be sub served if hearing of the said application is preponed.

4. 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 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 trial Court.
5. C. O. No.3468 of 2025 stands disposed of by giving liberty to the petitioners to file a fresh application before the learned Trial Judge for preponing of the next date of hearing along with a server copy of this order. If such an application is filed, the learned Trial Judge is requested to consider the urgency involved in the said application and fix an early hearing date subject to the business of the learned Trial Judge.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)