

19.09.2025
Item No.37
PG
Ct. No.6

C.O. 3505 of 2025

**Shivdhara Project Private Limited
vs.
The Way 2 Fitness & Ors.**

Mr. Basudeb Patra..... for the petitioner

1. This application under Article 227 of the Constitution of India is at the instance of the plaintiff praying for a direction upon the learned Judge (Senior Division), 2nd Court at Barasat to dispose of the Title Suit No. 78 of 2022 expeditiously.
2. Learned advocate appearing for the petitioners submits that during the pendency of the said suit, the opposite parties herein also filed a suit being Title Suit No. 865 of 2023, which is also pending before the same Court.
3. He further submits that an application under section 10 of the CPC filed in Title Suit No. 78 of 2022 is pending and the next date for hearing of such application is fixed on 21st January, 2026.
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. In the light of the submissions, C. O. No.3505 of 2025 stands disposed of by requesting the learned Judge (Senior Division), 2nd Court at Barasat to take up hearing of the application under section 10 of CPC on the next date fixed and to dispose of the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties.
6. After disposal of the said application, the learned trial Judge shall proceed in accordance with law.
7. 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.)