

SL.124
22.01.2025
Court No.22
S. Gayen

CO 3419 of 2022

**Gopal Koiri & Anr.
Versus
Ghanashyam Koiri & Ors.**

Mr. Ashis Kumar Chowdhury
Mr. Rajib Ghosh
Mr. Babhru Bahan Bera
Mr. Avisek Chatterjee

...for the Petitioner.

Mr. Rahul Karmakar
Mr. Sourav Guchhait

...for the Opposite Party.

1. This revisional application has been preferred assailing the order dated 5th August, 2022 passed in Title Suit No. 20 of 2021, wherein the learned Additional District Judge, Fast Track Court-II, Barasat, North 24 Parganas only directed the applicants to serve notice along with the copy of the application under Order 41 Rule 5 of the Code of Civil Procedure upon the respondents and next date was fixed on 17th August, 2022.
2. Though this order has been challenged in this revisional application for the reason best known to the petitioner, I do not find any infirmity in the order. However, the learned counsel appearing on

behalf of the petitioner submitted that in the meantime execution case has been filed before the learned Trial Court and the application under Order 41 Rule 5 of the Code of Civil Procedure is required to be heard and disposed of.

3. In the aforesaid view of the matter, the instant revisional application stands dismissed being devoid of merits. However, the learned Appellate Court is requested to dispose of the application filed under Order 41 Rule 5 of the Code of Civil Procedure within four weeks from the date of communication of the order, if not already disposed of in the meantime.
4. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
5. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all requisite formalities.

(Bibhas Ranjan De, J.)