

AD-14
Ct No.16
21.02.2025
TN

CO 3732 of 2024

Shakambari Rubber Pvt. LTD.
Vs.
Maumita Bhattacharjee

Mr. Partha Pratim Roy,
Mr. Sarbananda Sanyal,
Mr. R. Chowdhury

.... for the petitioner

1. In view of the innocuous nature of the prayer, no prior service of notice of the revision on the opposite party is directed.
2. The petitioner in a suit for eviction of the opposite party filed under the provisions of the Transfer of Property Act, 1882, took out an application under Order XXXIX Rule 10, read with Section 151, of the Code of Civil Procedure, which has been kept pending by the learned Trial Judge since January 25, 2024 without even fixing a date for hearing of the same.
3. In view of the above circumstances, CO 3732 of 2024 is disposed of by directing the learned Civil Judge (Senior Division), Third Court at Howrah, District: Howrah to fix a date for hearing of the pending application under Order XXXIX Rule 10 of the Code of Civil Procedure filed at the behest of the petitioner as expeditiously as possible and to dispose of the same within a month from the date of communication of this order to the said court.

4. It is made clear that it will be open to the learned Trial Judge to dispose of the other pending application(s) in connection with the suit bearing Title Suit No.171 of 2019 as well, and to take up the suit for hearing as expeditiously as possible.
5. There will be no order as to costs.
6. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)