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26.02.
2025
Ct. No.237

CO 3937 of 2024

Kamalika Saha
Vs.
Subhra Banerjee

Mr. Pinaki Datta
Ms. Jayashree Saha
.....For the Petitioner

This is an application where the petitioner has prayed for expeditious hearing of Other Suit being O.S. 07 of 2020 pending before the Learned Additional District Judge, 3rd Fast Track Court, Barrackpore, District- North 24 Parganas.

It is submitted on behalf of the petitioner that the matter is pending since long but the trial has not yet been concluded as the adjournment petitions are being entertained indiscriminately.

Since the prayer made on behalf of the petitioner is innocuous and if any order is passed in terms of the prayer made in the application, Opposite party will have no cause to prejudice, the service of copy of application or notice upon the Opposite Party is dispensed with.

Having heard learned counsel appearing on behalf of the petitioner and also considering the age of pendency of the suit, I find that the prayer made by the petitioner is justified.

In such view of the matter, CO 3937 of 2024 is hereby disposed of with a direction upon the court below for making every endeavour for expeditious disposal of the aforesaid Other Suit being no. O.S. 07 of 2020 and to make his best effort to conclude the entire proceeding of the said suit, without granting any unnecessary adjournment to either of the parties and taking aid from Order XVII of the Code of Civil Procedure, preferably within a period of six months from the date of communication of the order.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Dr. Ajoy Kumar Mukherjee, J.)