

Ct. No. 237
13
akb
20.01
2025

C.O. 3940 of 2024
Gairik Basu
-Versus-
Uttam Biswas & Ors.

Ms. Arunima Laha
Mr. Joydeep Mishra
Mr. Subhamoy Patra
Ms. Mohuya Maity **...For the Petitioner**

This is an application under XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure filed by the plaintiff/petitioner herein.

Petitioner contended that the matter is pending for a long time and lastly it appeared in the list on 19th August, 2024 when the plaintiff was present in Court but since the defendants have prayed for adjournment, the matter has been posted for hearing after about six months on 17th February, 2025 for hearing the said application. In such view of the matter, the petitioner has prayed for a direction upon the Court below for expeditious disposal of the said application dated 15.1.2024.

The prayer made by the petitioner is innocuous and as such service of copy of revisional application and the notice upon the opposite party are dispensed with.

In view of the facts and circumstances of the case and considering the fact that the prayer is innocuous and if the application is allowed in terms of prayer made in this application, neither party will have any cause to prejudice,

the prayer made by the petitioner is allowed.

Having considered the facts and circumstances of the case and that the matter is pending for a long time the present application, being C.R.R. 3940 of 2024 is hereby disposed of with a direction upon the Court below to dispose of the said application dated 15.1.2024 on the next date of hearing or within three weeks thereafter.

Urgent photostat certified copy of this order, if applied for, be supplied to the petitioner, on priority basis on compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)