

M/L- 1248  
14/07/2025  
Ct. No.-6  
Aritra

**C.O. 4138 of 2024**

**Sri Mark Bidyut Gomes & Anr.  
Vs.  
Sri Prasenjit Das**

Mr. Santu Nandy

....for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the defendant praying for a direction upon the learned Civil Judge (Jr. Div.), Additional Court at Sealdah to dispose of Title Suit No.108 of 2020 expeditiously.

In view of the order sought and proposed to be passed there is no necessity to direct issuance of any notice upon the opposite party. However, the learned advocate for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party or the learned advocate representing the opposite party before the learned trial judge.

From the order sheets appended to this application, this Court finds that the suit has been fixed for peremptory hearing.

The learned advocate appearing for the petitioner submits that the opposite party herein filed an application under Order 8 Rule 6 (C) of the Code of the Civil Procedure for exclusion of counter-claim.

In the light of the submission made by the learned advocate for the petitioner, CO 4138 of 2024 stands disposed of by requesting the learned Civil Judge (Jr. Div.), Additional Court at Sealdah to take up the hearing of the application under Order 8 Rule 6 (C) of the Code of Civil Procedure on the next date fixed, if the same is otherwise ready for hearing, and to dispose of the same as expeditiously as possible without granting any unnecessary adjournments to either of the parties provided the suit is otherwise ready for hearing. After disposal of the interlocutory application the learned trial judge shall make an endeavour to dispose of the suit as expeditiously as possible.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

***(Hiranmay Bhattacharyya, J.)***