

Court No. 6
(265719)

18.06.2025
(A 101)
(S. Banerjee)

CO 4186 of 2024

Raj Kumar Mishra
Vs.
Kalinath Sasmal & Ors.

Mr. K. Bhattacharya
Ms. P. Jana

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff praying for a direction upon the learned Civil Judge (Sr. Division), 2nd Court at Howrah to dispose of interlocutory applications filed in connection with Title Suit No. 166 of 2013 expeditiously.

Ms. Jana, learned advocate appearing for the petitioner submits an application under Order 39 Rules 1 and 2 of the Civil Procedure Code, an application under Order 6 Rule 17 of the Civil Procedure Code and an application under Order 1 Rule 10(2) of the Civil Procedure Code are disposed of. She further submits that the application for addition of party is otherwise ready for hearing and July 22, 2025 has been fixed for hearing of such application.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any

notice upon the opposite parties. However, the learned advocate-on-record of the petitioner shall be obliged to forward a copy of this application along with this order, upon the opposite parties or upon the learned advocate representing the opposite parties before the learned trial judge.

In the light of the submissions made by the learned advocate appearing for the petitioner CO 4186 of 2024 stands disposed of by requesting the learned Civil Judge (Sr. Division), 2nd Court at Howrah to take up the hearing of the application under Order 1 Rule 10(2) of the Civil Procedure Code on the next date fixed, i.e., on July 22, 2025 if the same is otherwise ready for hearing and to make an endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

The learned trial judge is further requested to make an endeavour to dispose of the application under Order 39 Rules 1 and 2 of the Civil Procedure Code, the application under Order 6 Rule 17 of the Civil Procedure Code as expeditiously as possible.

It would be open to the learned trial judge to decide each of the applications shall be taken up first.

(Hiranmay Bhattacharyya, J.)