

JPD.1 & 2 .
August 2, 2025.
MNS.

CALCUTTA HIGH COURT
In The Circuit Bench at Jalpaiguri
Appellate Side

CO No. 148 of 2025
with
CO No. 149 of 2025

Sri Sukumar Ghosh and others
Vs.
Smt. Sanchayita Ghosh and others

Mr. Sandip Mandal,
Mr. Amit Saha

... for the petitioners.

Ms. Esha Acharya

...for the opposite party no. 1.

1. The two applications are taken up for hearing together for hearing, since they arise in connection with connected suits and between the same parties.
2. The innocuous nature in the applications under Article 227 of the Constitution of India is that despite a challenge having been preferred under Section 37 of the Arbitration and Conciliation Act, 1996 against an order, whereby an application under Section 8 of the said Act was rejected by the learned trial Judge, and applications for stay having been filed in connection with the appeals, the stay applications are not being disposed of, although

those having been filed long back on January 15, 2025.

3. In view of the urgency involved implicitly in such applications, CO No. 148 of 2025 and CO No. 149 of 2025 are disposed of by directing the learned Additional District Judge, Fast Track Court at Siliguri to dispose of the interlocutory applications filed in Miscellaneous Appeal No. 03 of 2024, in connection with Title Suit No. 91 of 2023, and Miscellaneous Appeal No. 04 of 2024, in connection with Title Suit No. 90 of 2023 respectively, as expeditiously as possible, positively on September 2, 2025, which, this Court is apprised, is the next date for hearing of the said applications.
4. The written objections to the said stay applications, if not already filed, shall be filed in the meantime and copies thereof shall be served on the petitioners appearing before the trial Court.
5. Since Ms. Esha Acharya, learned counsel, submits that she has instructions to appear on behalf of the opposite party no. 1 in both the matters, in view of the innocuous nature of the prayer made in the revisional applications, prior service is not directed but the order is passed in

her presence. However, copies of the present revisional applications under Article 227 of the Constitution of India shall be handed over to Ms. Acharya by learned counsel for the petitioners during the course of the day.

6. Leave is granted to the learned Advocate appearing for the opposite party no. 1 to file her Vakalatnamas in the matters during the course of the day.
7. Both the parties and the appellate court as well as the trial court shall act on the basis of the server copy of this order, without insisting upon prior production of the certified copy thereof.
8. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)