

S/L 7
15.12.2020
Court. No. 19
GB

C.O. 1034 of 2020

Kumari Papiya Kundu
Vs.
Smt. Sabitri Kundu

(Through Video Conference)

Mr. Siva Prasad Ghose.

...for the Petitioner.

This is an application filed by the plaintiff/petitioner praying for expeditious disposal of Title Appeal No.54 of 2018 pending before the learned Additional District Judge, Fast Track 3rd Court at Barrackpore. The said appeal arises out of judgment and decree dated August 29, 2018 passed in Title Suit No.141 of 2014.

It is the contention of the petitioner that several dates have been fixed for receiving Lower Court Records. The further contention is that the petitioner is blind and because of her disability she is finding it difficult to contest the proceeding which is being unnecessarily delayed.

Records reveal that an application under Order VI, Rule 17 of the Code of Civil Procedure was filed by the petitioner before the learned lower appellate court. As the appeal is pending since 2018, this Court hopes and trusts that the title appeal along with all pending applications, if any, be disposed of expeditiously preferably within a period of 6 months from date of communication of this order.

It is made clear that the learned court below should make serious endeavour to trace out the Lower Court Records within 2 weeks from date of communication of this order, so that the appeal along with all pending applications may be disposed of within the next 6 months, if the appeal is otherwise ready.

The petitioner is directed to serve copies of this revisional application along with server copy of this order upon the opposite party within a week from date.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)