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**C.O. 1248 of 2020
IA No. CAN 1 of 2020
(Via Video Conference)**

**M/s. Reliance Industries Limited
-vs-
Nikunja Behari Jana & Ors.**

**Mr. Sumanta Biswas.
...For the Petitioner.**

The petitioner seeks expeditious hearing and disposal of the title appeal being T.A. No. 12 of 2015 which is presently pending before the learned District Judge and/or Judge-in-Charge, Paschim Medinipur.

Learned counsel submits that the petitioner suffered an ex parte decree in a title suit filed in 2006 by the opposite party No. 1 pursuant to which some of the opposite parties filed an appeal from the said decree. The appeal was filed in 2015.

Counsel submits that despite five years already having gone by, there has been no progress in the appeal. The petitioner is about to suffer extreme prejudice since the opposite party No. 1, taking advantage of the ex parte decree, has filed a suit for partition of a land where the petitioner is presently running a petrol pump. Counsel submits that the next date of hearing of the appeal has been fixed on 11th December, 2020.

Having regard to the submissions and the relevant dates involved, this Court is of the view that there can be no plausible reason as to why an appeal filed in 2015 should be kept pending till date. This is all the more since the opposite party No. 1 may take advantage of the ex parte decree which was passed in

2006 against the petitioner and act to the detriment of the petitioner.

The learned District Judge or alternatively the learned District Judge-in-Charge, Paschim Mednipur is accordingly directed to dispose of the title appeal as expeditiously as possible and fix the next date of the appeal in the last week of October 2020.

The appeal should positively be disposed of within a period of three months from the next date of hearing without granting any unnecessary adjournments to any of the parties. The time limits fixed are subject to the usual restrictions brought about by the pandemic.

C.O. 1248 of 2020 is disposed of.

(Moushumi Bhattacharya, J.)