

06
19.11.2020.
b.d/d.p.

**C.O. 1334 of 2020
(Via Video Conference)**

**Tara Bai Mohta Trust
-vs-
Chandan Roy & Ors.**

**Mr. Promit Bag,
Ms. Anushkha Mahato.
...For the Petitioner.**

**Mr. D. Mukherjee.
...For the CESC.**

The petitioner who is the defendant in a title suit filed by the opposite parties before the Sealdah Court seeks expedition of the said proceedings.

Learned counsel places an order passed by a learned Judge of this Court in W.P. 21579 (W) of 2019 on 6th December, 2019 by which the petitioner was given liberty to correct the defects in the writ application and apply for an electricity connection from CESC. Learned counsel submits that the opposite parties thereafter filed a suit in the learned court below and obtained an injunction on 28th January, 2020 by which the electricity connection could not be given to the petitioner. CESC was made a party to the suit.

Learned counsel appearing for the CESC does not have any objection to expedition of the proceedings.

No one appears for the opposite parties.

The affidavit-of-service is taken on record.

On perusing the order dated 6th October, 2020 passed in an application filed by the petitioner, it appears that the interim order granted against the petitioner was extended until the next date which was

fixed on 18th November, 2020. This Court has been informed when the matter was taken up for hearing yesterday, none of the opposite parties were represented and the interim order was extended.

The learned Court below did not fix any date when the matter would be taken up for hearing.

Considering the facts as stated together with the contention that the petitioner is continued to suffer in the absence of the learned Court below failing to expedite the suit or even indicating when the matter shall be heard next.

C.O. 1334 of 2020 is disposed of with the direction on the Civil Judge, Junior Division, 1st Court, Sealdah South 24-Parganas to expedite the hearing of Title Suit No. 32 of 2020 and make a serious attempt to dispose of the same within ten weeks from date.

The petitioner is directed to serve a copy of this order on the opposite party within 48 hours.

(Moushumi Bhattacharya, J.)