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SK
Ct. No. 18
11.12.2020

**C.O. No. 1355 of 2020
(Via Video Conference)**

**Jay Dev Dey
Vs.
Samir Bhattacharjee & Ors.**

Mr. Kushal Chatterjee,
Mr. Iftekar Munshi ... For the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite parties, as such service of notice of the revisional application upon the said opposite parties is dispensed with.

The petitioner is the plaintiff of the connected suit for eviction being Title Suit No. 12 of 2019 pending before the learned Additional Civil Judge, (Junior Division), Sealdah, District 24 Parganas (North).

The grievance of the petitioner is that the learned trial Judge although is fixing the dates for framing issues in the suit, but till date such issues have not been framed.

The petitioner prays for a direction upon the learned Trial Judge for expeditious disposal of the suit. Mr. Munshi however informs this Court that the Court of learned Civil Judge (Junior Division), Sealdah, District. 24 Parganas (South) is lying vacant, he prays that the direction as prayed for may be given

to the Judge-in-charge of the said Court.

The normal functioning of the Courts are slowly resuming, at the stage direction as prayed for is not warranted. However, it is always expected and desired that the learned Trial Judge/ Judge-in-charge will not keep a small matter like framing of issues pending in a suit for eviction when pleadings of the parties are complete.

I hope and trust that the learned Trial Judge/ Judge-in-charge shall frame the necessary issue in suit on the next date fixed.

Needless to mention that after resumption of normal functioning of the Court the learned Trial Judge shall make all endeavour to dispose of the said suit expeditiously.

C.O. 1355 of 2020 is disposed of with the above observations.

No order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)