

11.01.2021
Court No. 19
Item No.15
CP

C.O. 9 of 2021

Sri Nirmal Mondal & ors.
vs.
Sri Dilip Mondal & anr.

Mr. Ayan Banerjee
Mrs. Atreyee De (Ganguly)

....for the petitioners.

This application is filed by the plaintiffs in Title Suit No. 850 of 2016, pending before the learned Civil Judge (Senior Division), 2nd Court at Barasat. The petitioners are aggrieved by the inordinate delay on the part of the learned court below in disposing of an application under Order 1 Rule 10 of the Code of Civil Procedure filed by some persons who want to be added in the suit and also an application for repairing filed by the defendant no.2. Both these applications have been pending for a long time. The order sheet also reveals so.

Under such circumstances, in my opinion, justice would be subserved if the learned court below is directed to dispose of all the pending applications in connection with Title Suit No. 850 of 2016 as expeditiously as possible, preferably within a period of three months from the next date fixed upon affording the opportunity of hearing to all the parties to the suit to contest the same. Once the pending

applications are disposed of, the learned court below is requested to dispose of the Title Suit No. 850 of 2016 on an urgent basis, keeping the age of the suit in mind.

It goes without saying that this court has not gone into the merits of the claims of the petitioners and the learned court below will proceed independently and in accordance with law.

The revisional application is disposed of. There shall be no order as to costs.

Petitioners are directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties within a week from date.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities.

(Shampa Sarkar, J.)