

14.01.2021
Court No. 19
Item No.13
CP

C.O. 54 of 2021

Niranjan Bairagi & ors.
vs.
Kalipada Bairagi & ors.

Mr. Suprabhat Bhattacharyya

....for the petitioners.

This revisional application has been filed by the plaintiffs in Title Suit No. 126 of 2014 for a direction upon the learned Civil Judge (Senior Division), Diamond Harbour, South 24-Parganas to dispose of the Title Suit No. 126 of 2014 as expeditiously as possible after disposing the pending applications.

It is submitted that some of the plaintiffs are senior citizens and the suit has been pending since 2014. It is also submitted that the written statement was filed belatedly and, as such, the learned court could not proceed expeditiously with the hearing of the suit. It is further submitted that for the last past five years, the ad-interim order of injunction has been extended from time to time but the application for temporary injunction has not yet been disposed of.

Without going into the merits of the claims of the petitioners and without making any observation thereto, this revisional application is disposed of with a direction upon the learned Civil Judge (Senior

Division), Diamond Harbour, South 24-Parganas to dispose of the Title Suit No. 126 of 2014 as expeditiously as possible, preferably within a period of one year from the next date fixed, along with all the pending applications upon affording an opportunity to all parties to contest the proceedings.

It is made clear that the learned court below will proceed with the matter independently and in accordance with law without being influenced by any observations made hereinabove.

Petitioners are directed to serve a copy of this revisional application along with a server copy of this order upon the learned advocates for the opposite parties appearing in the learned court below.

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

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.)