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Ct. No. 18  
03.02.2021

**C.O. No. 87 of 2021  
(Via Video Conference)**

**Suhas Chandra Basu  
Vs.  
Joydeb Das**

Mr. Lal Mohan Hajra,  
Mr. Somesh Panja,  
Ms. Moutusi Hazra                      ... 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 party, as such service of notice of the present application upon the opposite party is dispensed with.

The petitioner filed Title Suit No. 380 of 2016, which was dismissed for default. The petitioner has filed an application under Order IX Rule 9 of the Code of Civil Procedure registered as Misc. Case No. 169 of 2017 before the 2<sup>nd</sup> Court of learned Civil Judge, (Senior Division), at Barasat, District 24 Parganas (North).

The petitioner complains that due to the dilatory tactics adopted by the opposite party the said misc. case is still pending for which the petitioner, who aged about 83 years is suffering a lot.

The petitioner, therefore, prays a direction upon the learned trial Judge for disposal of the said misc. case expeditiously within a specific time.

The Courts are resuming normal functioning during this Covid-19 pandemic period, at this stage this Court is not inclined to pass any direction for disposal of any *lis* within a specific period.

However, considering the nature of the misc. case and the age of the petitioner, this Court desires and expects that the learned trial Judge shall dispose of the said misc. case expeditiously and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 87 of 2021 is disposed of with the above terms.

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.)