

28.01.2021
Sl. No. 26
srm

C.O. No. 173 of 2021

Belal Ashraf
Vs.
Md. Nasir Ahmed

Ms. Anyasha Das

...for the Petitioner.

This revisional application has been filed by the plaintiff in Title Suit No.11 of 2014 pending before the learned Civil Judge (Senior Division) at Sealdah for expeditious disposal of the said suit analogously with Title Suit No.95 of 2016. The Title Suit No.11 of 2014 has been fixed for evidence of the DW2 and the Title Suit No.95 of 2016 has been fixed for arguments.

The petitioner prays that the evidence in Title Suit No.11 of 2014 be recorded expeditiously so that both the suits can be heard analogously and arguments can be advanced at one time in respect of both the suits.

The prayer made by the petitioner is innocuous. There is already an order of this court directing analogous hearing of the suits. It appears that the Title Suit No.11 of 2014 has been fixed of the evidence of DWs since 2017 but the evidence has not been concluded.

Under such circumstances, without going into the merits of the case and without making any observation with regard to the claim of the petitioner, this revisional application

is disposed of with a direction upon the learned Civil Judge (Senior Division), at Sealdah to expeditiously conclude the evidence of Title Suit No.11 of 2014 and proceed with the disposal of the two title suits expeditiously.

It is expected that the suits should be disposed of within a period of six months from the date of communication of this order.

The learned Court below will proceed in accordance with law and independently.

The learned Advocate for the petitioner is directed to serve a copy of this revisional application upon the defendant/opposite party along with a server copy of this order within a week from date.

This revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)