

S/L 18
05.02.2021
Court. No. 19
GB

C.O. 252 of 2021

Anima Chatterjee
Vs.
Smt. Santi Ghosh & Ors.

(Through Video Conference)

Mr. Tanmoy Mukherjee,
Mr. Bimalendu Das,
Mr. Shourik Das.

...for the Petitioners.

This revisional application has been filed by the plaintiff in Misc. Case No.7 of 2014 arising out of Partition Suit No.169 of 1990, pending before the learned Civil Judge (Senior Division), 1st Court at Malda.

The petitioners pray for a direction upon the learned court below for expeditious disposal of the said misc. case.

It is the contention of the petitioners that by an earlier order dated February 25, 2019, this Court had directed expeditious disposal of the partition suit.

Records reveal that the evidence of O.P.W.1 commenced on August 27, 2019 but the evidence has not yet been concluded.

Under such circumstances, the learned court below is directed to dispose of the application under Order 39, Rule 2A of the Code of Civil Procedure being Misc. Case No.7 of 2014 as expeditiously as possible, preferably within a period of two months from the next date fixed.

This Court has not gone into the merits of the claim and counter-claim of the parties and the learned court below will proceed independently and in accordance with law.

The petitioners are directed to serve copies of this revisional application along with a server copy of this order upon the opposite parties and also upon the learned advocate appearing on behalf of the opposite parties in the learned court below.

The revisional application is 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.)