

27.01.2021

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C. O. 501 of 2020

Arun Kumar Sutradhar
Vs.
Smt. Laxmi Singh & Ors.

Mr. Kushal Chatterjee
Mr. Iftekar Munshi
... For the petitioner.

Affidavit-of-service filed be kept on record which reflects that service has been effected on almost all the opposite parties.

In this application the petitioner/decreed holder/plaintiff has prayed for transfer of Ejectment Case No. 82 of 2018 arising out Ejectment Suit No. 53 of 2009 pending before the learned Civil Judge (Junior Division), 2nd Court, at Barrackpore, North 24 Parganas.

The prayer made in the application reflects that the petitioner has sought for transfer of the said case to the learned Civil Judge (Junior Division), 1st Court at Barasat or to any another court under the District Judge, Barasat and/or to Additional civil Judge (Junior Division) at Sealdah, inter alia, on the grounds that the Court of Civil Judge, (Junior Division), 2nd Court at Barrackpore is not functioning because of lack of infrastructure. It is also submitted that the records, which were transferred to the Court of learned Civil Judge, (Junior Division), 2nd Court at Barrackpore, are all kept in godown/locker room

whereas skeleton records have been prepared, which are being taken up by the executing court due to non-availability of original records of the said execution case and the matter is being adjourned without hearing. Now it is made to understand that the court has started functioning from October 2020 because the court has been given facilities to function properly.

Therefore, the application under Section 24 of Code of Civil Procedure is disposed of with direction upon the Court concerned to take up the execution application case for its expeditious disposal.

Thus the application, being C. O. 501 of 2020 is disposed of.

(Shivakant Prasad, J.)