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SK
Ct. No. 18
11.02.2021

**C.O. No. 309 of 2021
(Via Video Conference)**

**Sri Satindranath Majumder
Vs.
Mina Majumder & Anr.**

Mr. Prantick Ghosh,
Mr. Siddhartha Sarkar ... For the petitioner.

Certified copy of the orders passed in the connected suit filed by the learned advocate for the petitioner be kept with the record.

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 parties, as such service of notice of the present application upon the opposite parties is dispensed with.

The petitioner is the plaintiff of the connected eviction suit being Title Suit No. 136 of 2007 pending before the 1st Court of learned Civil Judge, (Junior Division), at Barasat, District 24 Parganas (North).

The plaintiff tendered his examination-in-chief on March 30, 2012, at this stage the sole defendant of the suit, the predecessor-in-interest of the opposite parties herein died. The present opposite parties on being substituted in the said suit on May 13, 2015

filed an application under Order VI Rule 17 of the Code seeking amendment of the written statement filed by the original defendant.

The grievance of the plaintiff/petitioner is that the said application has not yet been disposed of.

The facts noted above is quite disturbing. An interlocutory application is pending for last six years.

The learned trial Judge is therefore directed to dispose of the said application within a period of three weeks from the date of communication of this order positively and in doing so shall not grant any unnecessary adjournment to either of the parties and after disposal of the said application shall make all endeavour to dispose of the said suit expeditiously.

C.O. 309 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.)