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SK
Ct. No. 18
02.03.2021

**C.O. No. 378 of 2021
(Via Video Conference)**

**Sri Prasun Kumar Mallick @ Prasum Mallick
Vs.
Gitu Prosad & Ors.**

Mr. Sourav Sen,
Ms. Sayani Bhattacharya ... For the petitioner.

The plaintiff in a suit for eviction is the petitioner of the instant application under Article 227 of the Constitution of India.

The petitioner by the present application is seeking a direction upon the learned trial Judge for expeditious disposal of the said suit.

Mr. Sen, learned counsel appearing on behalf of the petitioner, in his usual fairness, submits that on the death of the sole defendant his heirs and legal representatives have been substituted in the suit, but summons upon all the substituted defendants has not yet been effected.

Therefore, at this stage the direction as prayed for is not warranted.

C.O. 378 of 2021 is dismissed being premature.

This order, however, will not prevent the petitioner from seeking similar direction at the appropriate stage of the suit.

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.)

