

03.03.2021
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C.O. 435 of 2021
(Through Video Conference)

Chittanku Ranjan Das
Vs.
Smt. Swati Das & ors.

Mr. Debjit Mukherjee
Mr. Kaustav Bhattacharya

...for the Petitioner.

This revisional application has been filed praying for expeditious disposal of Title Suit No.1568 of 2013 pending before the learned Judge, XI Bench, City Civil Court, Kolkata.

It appears that the partition suit was heard by another learned Judge but before the judgement was delivered the learned Judge retired. Thereafter, the partition suit was heard by the Judge-in-Charge of the said Court and now it is informed that the Presiding Officer has joined.

Order-sheet reveals that April 12, 2021 has been fixed for taking steps with regard to necessary parties. Similar orders have also been passed by the Judge-in-Charge on earlier occasions. The record reveals that the partition suit has not progressed beyond such point.

In view of the fact that the suit has been pending since 2013, the learned Court below is directed to take expeditious

steps to ensure that the plaintiffs take necessary steps with regard to service upon the necessary parties who have been left out in the partition suit and thereafter proceed with the suit in accordance with law.

This Court further directs that the learned Court below should make all endeavours to ensure that the suit should be disposed of within a period of one year from date.

This Court has not gone into the merits of this case and the contentions of the petitioner and the learned Court below shall deal with the suit independently and in accordance with law.

The learned Advocate-on-record for the petitioner is directed to serve copies of this revisional application and a server copy of this order upon the opposite parties as also their learned Advocates appearing in the Court below.

This revisional application is, thus, disposed of.

(Shampa Sarkar, J.)