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Ct. No. 18  
05.08.2021

**C.O. No. 440 of 2021  
(Via Video Conference)**

**Smt. Sandhya Nayak & Anr.  
Vs.  
Rabindra Nath Bera & Anr.**

Mr. Tarak Nath Halder ... For the petitioners.

Affidavit of service filed in Court today on behalf of the petitioners is taken on record.

None appears on behalf of the opposite parties on call in spite of service.

The petitioners of the present application under Article 227 of the Constitution of India are the plaintiffs of the Title Suit No. 1268 of 2018 pending before the 2<sup>nd</sup> Court of learned Civil Judge, (Junior Division) at Sealdah, District 24 Parganas (South).

Mr. Halder, learned advocate appearing on behalf of the petitioners submits that the opposite parties have filed their written statement way back on May 27, 2019 but till date same has not been accepted although several dates were fixed as a consequence thereof further progress of the suit has been stalled. He submits that the petitioners have no objection if the said written statement is accepted and the suit be disposed of expeditiously.

On perusal of the records it appears that delay in accepting the said written statement interfered with

the progress of the said suit, the plaintiffs when are not raising any objection in accepting the said written statement the learned trial Judge shall formally accept the said written statement and shall proceed to dispose of the said suit expeditiously preferably within a period of 12 months from the date of communication of this order.

The learned trial Judge to adhere to the time limit fixed by this order for disposal of the said suit shall not grant any unnecessary adjournment to either of the parties.

C.O. 440 of 2021 is disposed of with the above terms without any 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.)