

06.04.2021
Sl. No. 32
srm

C.O. No. 473 of 2021
Sri Manindra @ Bagambar Giri
Vs.
Sri Achintya Giri & Ors.

Mr. Jayanta Dey

...for the Petitioner.

This revisional application has been filed for expeditious disposal of Title Suit No.100 of 2008 pending before the learned Civil Judge (Senior Division), 1st Court, Contai, Purba Medinipur.

It is contended that the preliminary decree was passed in 2016 and since then the said suit has not been disposed of by effecting partition upon drawing up the final decree in terms of the preliminary decree.

As the parties failed to amicably partition the suit property in terms of the preliminary decree, the petitioner/plaintiff filed an application for appointment of a partition commissioner. The said application was directed to be served upon the defendant. The suit has been since then kept pending for SR and AD.

Under such circumstances, this revisional application is disposed of with a direction upon the learned Court below to expedite the suit by taking such steps that would be necessary

for such speedy disposal. It is expected that the suit should be disposed of within a period of one year from the next date fixed.

This Court has not gone into the merits of the claim and counterclaim of the parties and the learned Court below will proceed independently and without being influenced by any observation made hereinabove.

The learned Advocate-on-record for the petitioner is directed to serve copy of this revisional application upon the opposite parties or their learned Advocate appearing in the Court below along with a server copy of this order within this week.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)