

90,DL,Ct.18.
22.02.2021
AJ.

C.O. 951 of 2020

Sri Ashoke Kumar Mitter
-Vs-
Sri Arjun Mitter

Mr. Partha Sarathi Das.
... for the petitioner.

The instant application under Article 227 of the Constitution of India is at the instance of the plaintiff of the Original Suit No.06 of 2014, pending before the 5th Court of the learned Additional District Judge at Alipore. The petitioner by the said application is seeking direction upon the learned Trial Judge for expeditious disposal of the connected suit.

Mr. Das, learned advocate appearing on behalf of the petitioner submits that the Trial Court is lying vacant and his client is proposing to move an application for transfer of the said suit to another Court.

In view of such position of the matter, the order as prayed for in the present application is not warranted.

C.O. 951 of 2020 is dismissed, but this order will not prevent the petitioner to file a fresh application under Article 227 of the Constitution of India seeking appropriate order at the appropriate time.

There shall be no order for 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.)