

17.11.2021
Item No.05
Court No.18
AJ.

C.O. 576 of 2021
(Through Video Conference)

George Daniel
-Vs-
Md. Shamim

Ms. Sohini Bhattacharyya.
....for the petitioners.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party as such, service of notice of the present application upon the said opposite party is dispensed with.

The defendant in a suit for eviction being Ejectment Suit No. 52 of 2013 is the petitioner of the present application under Article 227 of the Constitution of India.

The said suit is pending before the 2nd Court of the learned Civil Judge (Junior Division), Sealdah.

The petitioner is complaining inordinate delay in disposal of his application under Order VII Rule 11 of the Code of Civil Procedure filed on August 18, 2017 and is praying for a direction upon the learned Trial Judge for expeditious disposal of the said application.

The application under Order VII Rule 11 of the Code, by its nature, demands expeditious

disposal; pendency of such an application since 2017 is not appreciated.

The learned Trial Judge, therefore, is requested to dispose of the said application expeditiously, preferably within one available effective working month of the said Court from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 576 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.)