Sn 19.2.21
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C.O.993 of 2020

PRADIP HALDER VS. UDAY HALDER & ORS.

Mr. Anindya Bose
Mr. Diptendu Mandal
..for the petitioner

None appears on behalf of the opposite parties. Affidavit of service filed in Court today be taken on record. It appears that some of the opposite parties have been served personally.

The petitioner prays for expeditious disposal of the Title Suit No.224 of 2003, pending before the learned Civil Judge, Senior Division, Diamond Harbour, District South 24 Parganas along with an interlocutory application filed under Order 8 Rule 9 of the Code of Civil Procedure.

The petitioner's prayer is innocuous.

It appears from the order sheet that a date had been fixed on December 11, 2019 for hearing of the application under Order 8 Rule 9 of the Code of Civil Procedure. The said application is still pending.

This revisional application is disposed of with a direction upon the learned Court below to dispose of the pending application on its own merits independently and in accordance with law, preferably, within a period of

two months from the next date fixed upon granting an opportunity to the plaintiffs to contest the same.

This Court has not gone into the merits of the claim made in the said application or in the title suit. Upon disposal of the interlocutory application, the learned Court below shall dispose of the suit expeditiously.

The petitioner is directed to serve copies of the revisional application along with a server copy of this order upon the opposite parties within a week from date.

This revisional application is disposed of.

There will be however no order as to costs.

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

(Shampa Sarkar,J.)