

16.06.2021
Item No.44
Ct. No.19
CHC

**C.O.1042 of 2020
(Through Video Conference)**

**Sk. Inamul Haque & anr.
Vs.
Sk. Sirajul Hoque**

Mr. Ayan Banerjee,
Mr. Suman Banerjee
...for the petitioners

Subject-matter of challenge in this revisional application is an order dated September 27, 2019 passed by the Learned Additional District Judge, 4th Court, at Barasat in O.S. No.65 of 2013.

The contention of the petitioners is that by the order impugned the learned court below at the stage of recording evidence allowed summons to be issued upon the Registrar, Barasat District Sub-registry Office beyond the stipulated period without assigning any reason.

It appears that the learned court below allowed the issuance of summons upon the witness on the ground stated in the application of the opposite party/plaintiff.

There is no scope for interference with the order impugned. However, I do accept the contention of the petitioners that the suit is being delayed unnecessarily

although, it is at the stage of recording evidence. Under such circumstances, the revisional application is disposed of with request to the learned Additional District Judge, 4th Court at Barasat to dispose of Original Suit No.65 of 2013 as expeditiously as possible preferably within a period of a year from the date of communication of this order without granting any further adjournments to either of the parties except under unforeseen circumstances. This Court has not gone into the merits of the claim and counter claim of the parties and learned court shall proceed in accordance with law.

Petitioners are directed to serve copy of the revisional application upon the learned advocate on behalf of the opposite party in the court below.

All parties are to act on the server copy of this order.

(Shampa Sarkar, J.)