

07.07.2021
TN

CO No.619 of 2021

Smt. Purabi Basu
Vs.
Sri Paresh Dhar and others
(Via video conference)

Mr. Meghnad Dutta,
Mr. Abhishek Shaw

.... for the petitioner

Affidavit-of-service filed in court today be kept on record.

In view of the innocuous nature of the order proposed to be passed, no prior service of notice on the opposite parties is deemed necessary.

It appears from the records, as rightly contended by learned counsel for the petitioner, the petitioner's woes, due to the long wait to get the fruits of the decree, started after getting a decree for eviction against the opposite parties.

Accordingly, CO No.619 of 2021 is disposed of by requesting the Chief Judge, Small Causes Court at Calcutta to dispose of the Miscellaneous

Case No.247 of 2019 along with all connected applications, arising out of Ejectment Execution Case No.68 of 2014 pending in the said court as expeditiously as possible, positively within three weeks from the date of communication of this order to the court below.

The learned Chief Judge shall allocate the matter to some other competent Bench of the same court, in the event the roster of the Chief Judge does not permit such expeditious disposal, in order to effectively comply with the above direction.

The executing court shall endeavour to dispose of the execution case itself as soon thereafter as the roster of the said court permits.

The learned advocate for the petitioner shall communicate this order, along with a server copy thereof, both on the opposite parties and/or their learned advocate(s) in the court below as well as on the court below, at the earliest.

The trial court shall act on the communication of learned advocates along with server copy, without insisting upon prior production of a certified copy of this order.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)