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Ct. 18
23.09.2021

**C.O. No. 795 of 2021
(Via Video Conference)**

**Syed Abdul Rub & Ors.
Vs.
Rashid Khatoon & Ors.**

Mr. Sourjya Roy ... 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 parties, as such, prior service of notice of the present application upon the said opposite parties is dispensed with.

The petitioners are the plaintiffs of a suit for declaration of title and injunction being Title Suit No. 214 of 2004 pending before the 2nd Court of learned Civil Judge (Junior Division) at Sealdah, District – 24 Parganas (South).

The petitioners are complaining inordinate delay in disposal of an application under Order XXII Rule 2 of the Code of Civil Procedure filed on the death of defendant no. 1.

The said application was filed on July 12, 2018. Therefore, the petitioners can legitimately expect the disposal of the said application within a reasonable time.

The learned Trial Judge is, therefore, requested to dispose of the said application in accordance with law

as expeditiously as possible, preferably within a period of one working month from the date of communication of this order and in doing so, shall not grant any unnecessary adjournment to either of the parties.

The petitioner is directed to communicate this order to the learned advocate representing the opposite parties in the Court below.

C.O. 795 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.)