

17
as 16.09.2021

C.O. 986 of 2021

(Via Video Conference)

Smt. Durga Naskar Chakraborty & Ors.

Vs.

Santi Ranjan Naskar & Ors.

Mr. Dyutiman Banerjee,
Mr. Sarbananda Sanyal.

...for the Petitioners.

Mr. Dyutiman Banerjee, learned Advocate representing the petitioners/plaintiffs submits that the suit was instituted in the year 2015 and till date the suit has not proceeded to a desirable extent, resulting in serious prejudice to the valuable rights of the petitioner, as regards expeditious disposal of the suit. Mr. Banerjee further submits that issues in this case have already been framed in June, 2017, but there has been no tangible progress towards securing expeditious disposal of the pending suit.

Upon perusal of the xerox copy of the order of the learned court below annexed with the instant revisional application, it appears that an application for amendment under VI Rule 17 of the Code of Civil Procedure is awaiting hearing in the court below.

In view of the nature of the order proposed to be made and the point raises to be addressed by this Court, the Court is of the view that the instant revisional application may be instantly disposed of even without securing the presence of the opposite parties.

Accordingly, service of notice upon the opposite parties/defendants stands disposed of.

Learned Court below is directed to dispose of the pending suit being Title Suit No.456 of 2015 pending before the Civil Judge (Senior Division) 1st Court at Barasat, North 24-Paraganas as expeditiously as possible, after disposing of the pending interlocutory applications.

In doing such exercise, no unnecessary adjournment should be granted and both the parties should be provided with sufficient opportunity to present their respective cases so that the logical decision of the suit may be reached at an early date in the interest of ensuring expeditious disposal.

Petitioner is directed to make communication of this order to the opposite parties/defendants and their learned Advocates in the court below as well as to the learned court below.

With this observation and direction, the revisional application stands disposed of.

Urgent xerox certified copy of this order be given to the parties on usual undertaking.

(Subhasis Dasgupta, J.)

