

21.12.2021
Ct. 21
D/L 13
ab

C.O. 1365 of 2021
(Via Video Conference)

Jawaharlal Bhattacharjee
-Vs-
Hiralal Sharma & Ors.

Mr. Sabyasachi Mukherjee,
Mr. Bibek De,
Mr. Mukesh Khanna,
Ms. D. Chowdhury

... for the petitioner

Mr. Sabyasachi Mukherjee, learned advocate for the petitioner is present.

The learned advocate for the petitioner files affidavit of service along with postal receipts and track reports showing due service on the opposite parties.

No one appears from the side of the opposite parties.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the Title Execution Case No. 23 of 1998 arising out of Title Suit No. 178 of 1988, pending before the learned Civil Judge (Junior Division), 1st Court at Barrackpore, North 24 Parganas.

The learned advocate for the petitioner submits that the learned Court below has been granting unnecessary adjournments and due to which, there is a delay in disposal of the case and such delay is causing hardship to the petitioner.

Having regard to the nature of relief claimed by the petitioner, being a prayer for expeditious disposal of

the execution case and it is not likely to cause any prejudice to the interest of the opposite parties.

The prayer is considered and allowed.

The learned Civil Judge (Junior Division), 1st Court at Barrackpore, North 24 Parganas, is requested to dispose of the Title Execution Case No. 23 of 1998 arising out of Title Suit No. 178 of 1988, as expeditiously as possible and in any event, within a period of two months from the date of communication of this order on priority basis, without granting any unnecessary adjournment to either of the parties, as the execution case is pending since 1998, for more than 23 years.

Accordingly, the revisional application **being C.O. 1365 of 2021** is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities.

(**Kesang Doma Bhutia, J.**)