

15.11.2021
(S/L-12)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1429 of 2021
Sandharani Maity
-Vs-
Sk. Nesar & Ors.

Mr. Sounak Bhattacharya,
Mr. Sounak Mandal

.... For the Petitioner.

Affidavit-of-service filed on behalf of the petitioner is taken on record.

None appears on behalf of the opposite parties in spite of service.

The petitioner is a plaintiff of Title Suit No. 101 of 2016 pending before the 2nd Court of Learned Civil Judge (Junior Division), Contai, District- Purba Medinipur.

The petitioner is complaining inordinate delay in disposal of the said suit and is praying direction upon the learned Trial Judge for expeditious disposal of it.

It appears from the record that a Co-ordinate Bench of this Court in an earlier application under Article 227 of the Constitution of India being C.O. 2878 of 2019 by a direction dated September 06, 2019 requested the learned Trial Judge to dispose of the said suit as expeditiously as possible, preferably within six working months from the date of communication of the said order.

Mr. Sounak Bhattacharya, learned advocate appearing on behalf of the petitioner submits that in spite of communication of the said order, the suit has not yet been disposed of.

The suit being at the stage of cross-examination of D.W.₂ and in view of the earlier direction passed by the Co-ordinate Bench, the learned Trial Judge is requested to dispose of the said suit in accordance with law as expeditiously as possible, preferably within six available effective working months of the said Court 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 shall communicate this order to the opposite parties as well as to their learned advocate in the Court below within a week from date.

C.O. 1429 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.)