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23.09.2021

**C.O. No. 1470 of 2021
(Via Video Conference)**

**Sri Sukumar Maity @ Roychowdhury & Ors.
Vs.
Gayatri Shaw & Ors.**

Mr. Dhananjay Nayak ... 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 R.C. (Eviction) Case No. 37 of 2005 pending before the 6th Court of learned Civil Judge (Junior Division) at Alipore, District- 24 Parganas (South).

The petitioners are complaining inordinate delay in disposal of the said suit.

It appears from the record that the issues in the said suit have not yet been framed, although written statement and additional written statement of the defendants are on record. The next date fixed for taking steps in the suit by the plaintiffs, as it appears from the certified copy of the orders passed in the said suit, is **on November 8, 2021**.

The learned Trial Judge is, therefore, requested to frame issues in the said suit on the said date, in the

event due to some unavoidable circumstances, the said issues cannot be framed on the said date, the same must be framed within a period of seven days thereafter.

The parties are at liberty to file their suggested issues on or before the said date fixed.

The suit is pending since 2005. The learned Trial Judge is requested that after framing of issues, to make all endeavour to dispose of the said suit expeditiously in accordance with law and in doing so shall not grant any unnecessary adjournment to either of the parties.

The petitioners are required to communicate this order along with the copy of this application upon the learned advocate representing the opposite parties in the connected suit before the next date fixed in the said suit.

C.O. 1470 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.)