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AG 2021
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C.O. 1521 of 2021

Balai Mitra
Versus
Samar Naskar & Ors

(Via Video conference)

Mr. Gautam Das,
Mr. Mrinal Kanti Sardar, ... For the petitioner.

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of pending interlocutory applications filed in connection with Title Suit No. 34 of 2016 now pending before the learned Civil Judge (Sr. Div), 1st Court, Baruipur, South 24 Parganas.

Learned advocate for the petitioner submits that the instant suit was filed in the year 2016 praying for declaration and injunction. Petitioner in the meantime has taken out two interlocutory applications; one under Order 1 Rule 10 and another under Section 151 of the Code of Civil Procedure praying the xerox copy to be treated as original document. The defendants simultaneously have filed one petition for shifting back the suit from the ex parte board.

Admittedly, there are three interlocutory applications, as referred above, in the pending suit.

Referring the long pendency of the suit, learned advocate for the petitioner proposes for passing an order for expeditious disposal of the pending interlocutory applications including the application of the defendant/opposite parties.

The point raised in this case is very short and

simple, and it requires no extensive hearing, and this may be disposed of without securing presence of opposite party. Accordingly, service upon the opposite party stands dispensed with.

Learned Court below is directed to dispose of the pending applications as expeditiously as possible so that logical conclusion of the case may be reached at an early date.

In doing such exercise, both the parties must be given appropriate opportunity of hearing, but without granting unnecessary adjournment, unless it is extremely unavoidable.

Learned advocate for the petitioner is directed to make communication of this order to the opposite parties and the learned advocate appearing in the Court below for the opposite parties, so that the date fixed in the Court below may be effectively utilised.

With these observations and directions the revisional application stands disposed of.

There shall be no order as to costs.

(Subhasis Dasgupta, J)