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as 07.09.2021

C.O. 1518 of 2021

**Sri Partha Adak
Vs.
Sri Narendra Kumar Lakhotia**

Mr. Animesh Paul.

...for the Petitioner.

The Court is approached under Article 227 of the Constitution of India seeking a direction to ensure expeditious disposal of a petition under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 and another application under Order VI Rule 17 of the Code of Civil Procedure.

Learned Advocate representing the petitioner submits that the application under Section 7(2) of the West Bengal Premises Tenancy Act was filed by the defendant/opposite party on 24.6.19 praying for determination of arrear rent, if any. It is further submitted that the application for amendment was similarly filed by the petitioner/plaintiff on 27th November, 2020. Both the interlocutory applications, according to the learned Advocate for the petitioner, have not been disposed of by the learned Court below resulting in protraction of the trial, and thereby adversely prejudicing the valuable rights of the parties

involved in the suit.

In such context, learned Advocate for the petitioner proposes for recording an innocuous direction, directing the court below to expeditiously dispose of both the pending applications providing sufficient opportunity of hearing to either of the parties of this case.

This Court is quite alive of the fact that due to the impact of Covid-19 and its proliferation, the ordinary function of the Court has been largely disturbed.

However, the point requires to be addressed is very short and simple requiring no extensive hearing, which may even be disposed of without inviting presence of the opposite parties.

In view of the nature of the order proposed to be made in this case, service upon the opposite parties, accordingly, stands dispensed with.

Learned Court below is directed to dispose of the amendment application and the application under Order 7(2) of the West Bengal Premises Tenancy Act, 1997 as expeditiously as possible preferably within three months from the date of communication of this order to the learned Court below, without granting any unnecessary adjournments, and of course after providing

sufficient opportunity of hearing to either of the parties to this case.

Petitioner is directed to communicate this order to the learned Court below as well as the opposite parties and their learned Advocates so that both the parties may come, prepared ready for effective utilisation of the dates to be fixed by the learned Court below for the purpose.

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.)