

20.09.2021
(S/L-13)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1572 of 2021

Alok Kumar Saraogi & Anr.
-Vs-
Dipankar Bakuly & Ors.

Mr. Pratyush Patwari,
... For the petitioners.

Mr. Joydeep Guha,
... For the Opposite Parties.

Affidavit-of-service filed in Court today be
kept with the record.

Mr. Joydeep Guha, learned advocate
appears on behalf of the opposite party nos. 2 &
3.

The petitioners are the plaintiffs of the suit
for specific performance being Title Suit No. 151
of 2018 pending before the learned Civil Judge
(Senior Division) at Sealdah.

The petitioner complains inordinate delay in
disposal of the said suit.

It appears from the certified copy of the
order sheet annexed to the present application
that the issues in the suit have not yet been
framed despite several dates fixed for the said
purpose.

Mr. Guha, learned advocate submits that
the suit is not maintainable.

Be that as it may, the issues in a suit filed in the year 2018 should have been framed by this time, particularly when the said suit is proceeding ex parte against the defendants except defendant nos. 2 & 3.

The learned advocate for the appearing parties jointly submits that September, 27, 2021 is the next date fixed in the suit for framing issues.

The plaintiff and the defendant nos. 2 & 3 are directed to file their suggested issues in the suit on the said date positively and the learned trial judge is requested to frame appropriate issues in the suit on the said date accordingly.

The learned Trial Judge is further requested to dispose of the said suit expeditiously without granting any unnecessary adjournment to either of the parties.

C.O. 1572 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.)