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AG 2021
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C.O. 1627 of 2021

Manjit Kaur & Ors
Versus
Dipak Das & Anr

(Via Video conference)

Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee, ... For the petitioners.

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of pending case being MACC No. 83 of 2016 now pending before the learned Additional District Judge, 4th Fast Track Court, Alipore, on the ground of long pendency of claim case.

Mr. Partha Pratim Roy, learned advocate representing the petitioners submits that the pending claim case is relatable to Section 166 of the Motor Vehicles Act, 1988 for compensation amount of Rs. 35 lakhs. It is contended by Mr. Roy that evidence in this case has been last recorded in 2019 and thereafter, the case has not proceeded to disirable extent towards securing expeditious disposal of the claim case.

The petitioners have been facing financial crisis and extreme hardship because of the long pendency of claim case.

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 parties stands dispensed with.

Learned Additional District Judge, 4th Fast Track Court, Alipore, in connection with MACC No. 83 of 2016, is directed to dispose of the pending claim case expeditiously providing sufficient opportunity of hearing to either of the case, so that logical conclusion of claim 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.

Urgent photostat certified copy of this order, if applied for, be given to the appearing parties as expeditiously as possible upon compliance with the all necessary formalities.

(Subhasis Dasgupta, J)