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AG 2021
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C.O. 1631 of 2021

Purnima Chakraborty & Ors
Versus
Subhasish Roy & Ors

(Via Video conference)

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Ms. Dipanwita Ganguly, ... For the petitioners.

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of a suit being Title Suit No. 141 of 2010, now pending before learned Civil Judge (Jr. Divn.), 1st Court, Malda for long pendency.

Mr. Debjit Mukherjee, learned advocate representing the petitioners/defendants submits that plaintiffs/opposite parties filed a suit against petitioners/defendants praying for declaration and injunction.

Mr. Mukherjee, further submits that the suit is appearing in PH Board since 2015, and till then the suit has not proceeded to a desirable extent, resulting in serious prejudice being caused to the petitioners/defendants thereby adversely affecting their valuable rights as regards expeditious disposal.

Upon perusal of the xerox copy of the order of the learned Court below, annexed with the instant revisional application, it appears that on 8th October, 2020, a prayer for amendment application has been rejected, and no revisional application is submitted to be pending at the moment, as nothing

has been submitted in the Court below as regards the existence of any revisional application, by filing number for the purpose.

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 Civil Judge (Jr. Div.), 1st Court, Malda, in Title Suit No. 141 of 2010, is directed to dispose of the pending suit expeditiously as possible preferably within June 2022, providing sufficient opportunities of hearing to either of the parties, but without granting unnecessary adjournment, unless it is extremely unavoidable.

In doing such exercise, interlocutory application, if there be any, must be disposed of first, prior to securing expeditious disposal.

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 this observation and direction 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)