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Ct. 18
22.09.2021

**C.O. No. 1668 of 2021
(Via Video Conference)**

**Nishi Kumar Samanta
Vs.
Dali Samanta**

Mr. Arnab Roy ... For the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such, service of notice of the present application upon the said opposite party is dispensed with.

The petitioner is the plaintiff of Title Suit No. 963 of 2018 pending before the 1st Court of learned Civil Judge, (Senior Division) at Barasat, District – 24 Parganas (North).

The petitioner is complaining inordinate delay in disposal of the application filed by him under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure in the said suit.

Mr. Roy, learned advocate appearing on behalf of the petitioner submits that the said application was filed way back on November 12, 2018, but till date it has not been disposed of, although the same is ready for disposal.

The application under Order XXXIX Rules 1 and 2 of the Code, by its nature, requires expeditious disposal.

The learned Trial Judge is, therefore, requested to dispose of the said application as expeditiously as possible, preferably within a period of one working month from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 1668 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.)