

(33)
03.12.2021
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)

CO No. 1727 of 2021

Anand Jaiswal
-versus-
Amit Das

Mr. Tarak Nath Halder,

... 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 revisional application upon the said opposite party is dispensed with.

The petitioner has suffered an ex-parte decree of eviction in Ejectment Suit No. 63 of 2017. He has applied for setting aside of the said ex parte decree under Order IX Rule 13 of the Code of Civil Procedure. The said application is pending before the 2nd Court of learned Civil Judge (Junior Division), Sealdah being Misc. Case No. 61 of 2019.

The petitioner is complaining inordinate delay in disposal of the said misc. case and is praying for a direction upon the learned Trial Judge for expeditious disposal of it.

It appears from the record that the said misc. case is at the stage of recording evidence of the parties, as such, there cannot be any plausible reason to defer the disposal of it.

The learned Trial Judge is therefore requested to dispose of the said misc. case as expeditiously as possible in

accordance with law preferably within a period of four available effective working months of the Court below from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

The petitioner to communicate this order to the opposite party or to his learned Advocate in the Court below within a week from date.

CO 1727 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 party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)