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07.10.
2021

C.O. 1808 of 2021

Tapan Kumar Pal & Ors
Versus
Sahadeb Mondal & Ors

(Via Video conference)

Mr. Lulful Haque,
Mr. Moniruzzaman,

... For the Petitioners.

Alleging long pendency of a suit being Title Suit No. 149 of 2014, now pending before the learned Civil Judge (Senior Division) at Kandi, Murshidabad, learned advocate for the petitioners proposes for a direction so that the suit may be proceeded and expeditiously disposed of.

At the threshold of this case, learned advocate for the petitioners/ defendants submits that contesting defendant Nos. 1 to 3 have filed their written statement in the year 2017 in connection with instant suit for partition.

In such context, advertent to copy of the order dated 27th August, 2020 of the learned Court below, learned advocate for the petitioners submits that till date service upon the defendant No. 4 and the proforma defendants have not been made complete resulting in serious protraction to the trial of the suit.

In view of the nature of the order proposed to be made, and the point sought to be addressed by this Court, the Court is of the view that it does not require any extensive hearing, and the matter may be instantly disposed of giving a suitable direction therefor, even without securing presence of the

opposite parties.

Accordingly, service upon the opposite parties stands dispensed with.

The learned Court below is directed to dispose of the pending suit after completing the service upon the defendants in accordance with the provision of the law, and also after disposing of interlocutory application, if any pending, providing sufficient opportunities of hearing to either of the parties to this case, but without granting unnecessary adjournments, unless it is extremely unavoidable, so that logical conclusion of this case may be reached at an early date, preferably within December, 2023.

The petitioner is directed to communicate this order to the opposite parties and their learned advocates appearing in the Court below, apart from making independent communication to the learned Court below.

With these directions and observations the revisional application stands disposed of.

There shall be no order as to costs.

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

(Subhasis Dasgupta, J)