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08.11.2021
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)

CO No. 1822 of 2021
Samir Kumar Das & ors.

-versus-

K.C.M. Foundation Private Limited & ors.

Ms. Shebatee Dutta,
Mr. Ranjit Kumar Basu,

... for the petitioners.

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

The suit for recovery of possession of the suit property being Title Suit No. 211 of 2008 filed by the petitioners was decreed on December 20, 2013. The petitioners, thereafter, on December 16, 2017 filed an application under Order XX Rule 12 of the Code of Civil Procedure for final decree of mesne profits.

The petitioners complain inordinate delay in disposal of the said application. It appears from the record that the judgment-debtors/opposite parties have already entered appearance in the said proceedings and the learned Trial Judge has fixed February 17, 2022 as a next date fixed for hearing of the said application.

The application for final decree of mesne profits by its nature requires expeditious disposal.

The learned Trial Judge, therefore, is requested to dispose of the said application as expeditiously as possible preferably within a period of four effective available working weeks 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 petitioners to communicate this order to the opposite parties within a week from date.

CO 1822 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.)