

21.12.2021

Ct. 21

S/L. 18

pk

C.O. 1842 of 2021
(Via Video Conference)

Subimal Chakravarti

-Vs-

Banamali Senapati and another

Mr. Anirban Mitra,
Mr. Amit Halder

... for the petitioners

Ms. Sutapa Sanyal,
Ms. Susnita Saha

... for the State.

Mr. Pingal Bhattacharyya,
Mr. Subhankar Das

... for the respondent nos. 7 to 10.

Affidavit of service filed in Court today be kept with the record.

Mr. A. Mitra, learned advocate, appears for the petitioner, Ms. S. Sanyal, learned advocate, appears for the State and Mr. P. Bhattacharyya, learned advocate, appears for the respondent nos. 7 to 10.

Learned advocate for the State submits that the names of the respondent no. 5 the state of West Bengal and respondent no. 6 the Executive Engineer, Department Road, Medinipur have already been expunged from the cause title of Title Suit No. 84 of 2014 by the learned Civil Judge (Junior Division), 2nd Court at Tamluk. She files a letter written by the Assistant Engineer, Haldia Highway Sub-Division, P.W.(Roads) Directorate dated 29.11.2021, which is taken on record.

Learned advocate for the petitioner has filed present application under Article 227 of the Constitution of India for expeditious disposal of Title Suit No. 22 of 1981 subsequently renumbered as T. S. No. 84 of 2014 and again renumbered as T. S. No. 3442 of 2015 and alleges the delay in disposal has been caused due to the adjournment granted by the learned court below in mechanical way and without any reasonable cause.

Learned advocate for the opposite party nos. 7 to 10 submits that he has no objection if necessary order for expeditious disposal of case pending in the trial court is passed.

The learned Civil Judge (Junior Division), Second Court at Tamluk is directed to dispose of Title Suit No. 22 of 1981 subsequently renumbered as T. S. No. 84 of 2014 and again renumbered as T. S. No. 3442 of 2015 ***within a period of three months from the date of communication of this order on priority basis without granting any unnecessary adjournment to either of the parties and keeping in mind, the case is pending for last 40 years.***

Since the prayer for expeditious disposal is not likely to cause any prejudice to opposite party nos. 1 to 4 and service of notice on them is dispensed with.

Accordingly, the revisional application being C. O. 1842 of 2021 is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

Urgent Photostat certified copies of this order, if applied for,
be given to the parties upon compliance of all requisite formalities

(**Kesang Doma Bhutia, J.**)