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AKG

24-12-2021
Ct.21

C.O. 1942 of 2021
Binayak Saha & Ors.
Versus
Rita Saha & Ors.

(VIA VIDEO CONFERENCE)

Mr. Tarak Nath Halder

...for the Petitioners

Learned advocate appears for the petitioners and files affidavit of service along with postal receipts showing due service on the opposite parties, upon the learned advocate for the opposite parties and also upon the advocate commissioner appointed to effect final partition.

By filing the present revisional application, The petitioners have prayed for giving necessary direction to the learned Civil Judge (Senior Division), Sealdah to dispose of the Title Suit No. 196 of 2016 in final form after calling report from the commissioner. He further submits that the commissioner was given writ on 1st of August, 2019 but even after lapses of more than two years the commissioner has failed to submit his report. He draws attention of this Court to the orders passed by the learned Court below.

After going through the order sheet, I find substance in the submission made by the learned advocate for the petitioners.

The learned Civil Judge (Senior Division), Sealdah is hereby directed to dispose of the Title Suit No. 196 of 2016 in final form by calling the advocate commissioner to submit the report within a month from the date of receipt of communication and thereafter dispose of the case by another one month.

Accordingly, the revisional application being **C.O. 1942 of 2021** is disposed of.

Interim order, if any, granted earlier stands vacated.

There shall be no order as to costs.

Parties are on act on the server copy of this order duly downloaded from the official website of this Court.

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

(Kesang Doma Bhutia, J.)