

**21. 01.12.2021**  
**Ct. No.21**  
A.B.

**C.O. 1966 of 2021**

**Smt. Lalita Sarkar.**  
**-Versus-**  
**Sri Bablu Mondal & Ors.**  
**(Through Video Conference)**

Narayan Chandra Ghosh.

...for the Petitioners.

Mr. Narayan Chandra Ghosh Ld. Advocate for the petitioner files affidavit of service along with postal receipts and track reports. As per track report notice of the case could not be delivered on all the O.P.s except O.P. No. 5 Chapala Gope. The Ld. Lawyer submits the petitioner has filed the present revisional application seeking expeditious disposal of Title Suit No. 70 of 2017 pending before Ld. Civil Judge, (Senior Division) at Bongaon, North 24 Parganas.

He further submits the petitioner is an aged lady suffering from various ailments and if the case is not disposed of early she may not be able to see final decision of the suit.

Considered.

Perused the application under section 227 of the Constitution of India and from where I find that petitioner has challenged the order no. 23.08.2021 passed by the Ld. Court below and has prayed for

setting aside the impugned order or to pass an order of stay for further proceeding of the Title Suit No. 70 of 2017. Here, I find contradiction in the oral submission made by the Ld. Lawyer for the petitioner in the court and with the relief sought in the revisional application.

Be that as it may, perused the impugned order and from where I find the petitioner being the plaintiff has filed a petition under section 151 of C.P.C. praying for early hearing of the case and Ld. Court below was pleased to allow such application and fixed the case for P-hearing on 22.09.2021. Therefore, I do not find any illegality or material irregularity in the impugned order passed by the Ld. Court below and which need interference of this court.

However, I find the petitioner plaintiff wants expeditious disposal of the case filed by her and as such I do not find any reason not to grant her such prayer. There is also a say justice delayed is justice denied.

Therefore, Ld. Court below is requested to dispose of Title Suit No. 70 of 2017 expeditiously in any event within a period of six month from the date of receipt of this order and to see that adjournment is not granted to the parties as a matter of right.

Since the petitioner has prayed for expeditious hearing of Title Suit No. 70 of 2017, there is no possibility of causing any prejudice to the opposite parties. I see no reason to put the opposite parties on notice. Service of further notice on the opposite party is dispensed with.

Accordingly, C.O.1966 of 2021 is disposed of.

There will be no order as to costs.

All parties shall act in terms of the copy of the order downloaded from the official website of this Court.

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