

11. 23.11.2021
Ct. No.22
BPG

C.O. 1976 of 2021

Shree Shree Iswar Satyanarayanjee & Ors.
-Versus-
Bijay Kumar Yadav

(Through Video Conference)

Mr. Animesh Paul.
...for the Petitioners.

Mr. Animesh Paul, learned advocate appearing for the petitioners prays for necessary order may be passed directing the learned Civil Judge (Junior Division), 3rd Court at Howrah for expeditious disposal of Title Suit No.159 of 2006.

He submits the above numbered suit is pending since 2006. It took more than eight years to the learned court below to frame issues and at present a petition under Order XXVI Rule 1 of CPC is pending since long and which is further causing delay in disposal of the case as recording of evidence is yet to commence as the case is for eviction and recovery of khas possession with mesne profit against the opposite party.

Since the petitioners have prayed for expeditious hearing of a case pending since 2006, there is no possibility of causing any prejudice to the opposite party.

Further, having regard to the nature of relief claimed, I see no reason to put the opposite party on notice. Service of notice on the opposite party is dispensed with.

Accordingly, C.O.1976 of 2021 is disposed of with a request to the learned Civil Judge (Junior Division), 3rd Court, Howrah to dispose of Title Suit No.159 of 2006 within a year from the date of communication of this order and also regard being to the diary maintained by him/her.

There will be no order as to costs.

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.)