

C.O. 2064 of 2021  
Ashis Kumar Maity  
Versus  
Shefali Maity & Ors.

(VIA VIDEO CONFERENCE)

Mr. Ambar Nath Banerje,  
Ms. Amrita Panja Mouilick  
...for the Petitioner

The petitioner is represented by Mr. Ambar Nath Banerjee, learned advocate and he prays for expeditious disposal of Partition Suit being Title Suit No. 1423 of 2014 alongwith pending application under Order 40, Rule 1 C.P.C. before the Civil Judge (Sr. Division) 9<sup>th</sup> Court at Alipore, as the case is pending for more than seven years.

The learned advocate for the petitioner submits that the plaintiff is 82 years old and who wanted to see the case is disposed of during his life time.

By filing the present revisional application under Article 227 of the Constitution of India, the petitioner has prayed for expeditious disposal of the Title Suit No. 1423 of 2014 exhausting all procedure requirements and pending application under Order 40, Rule 1 C.P.C.

The learned 9<sup>th</sup> Civil Judge (Sr. Division) at Alipore is directed to dispose of the Title Suit No. 1423 of 2014 along with pending application under Order 40, Rule 1 C.P.C., as expeditiously as possible and in any event,

within one year from the date of communication of this order, without granting any unnecessary adjournment to the either of the parties except only on reasonable ground.

Since the petitioner has prayed for expeditious disposal of the Title Suit No. 1423 of 2014 along with pending application under Order 40, Rule 1 C.P.C., this court does not find any need to serve copy of the notice to the other side because that is not going to cause any prejudice to the other side. Therefore, service of notice is dispensed with.

Accordingly, the revisional application being **C.O. 2064 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.)**