

23.12.2021
Ct. 21
D/L 191
ab

C.O. 2233 of 2021
(Via Video Conference)

Birendra Kumar Sarkar
-Vs-
M.T. Sadhwani

Mr. Tarak Nath Halder,
... for the petitioner

Mr. Tarak Nath Halder, learned advocate for the petitioner is present.

Record shows that the notice of this application has not been served on the opposite party.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application filed under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 in connection with Ejectment Suit No. 20 of 2008 as well as the suit itself, pending before the learned Civil Judge (Junior Division), 2nd Court at Sealdah, South 24 Parganas.

The learned advocate for the petitioner submits that the learned Court below has been granting unnecessary adjournments and due to which, there is a delay in disposal of the case and such delay is causing hardship to the petitioner.

Having regard to the nature of relief claimed by the petitioners, being a prayer for expeditious disposal of application under Section 7(2) of the Act of 1997 and ejectment suit, I do not find any need to serve notice of the present application on the opposite parties and it is

not likely to cause any prejudice to the interest of the opposite parties. Therefore, service of notice upon the opposite parties is dispensed with.

The learned Civil Judge (Junior Division), 2nd Court at Sealdah, South 24 Parganas,, is requested to dispose of the application filed under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 in connection with Ejectment Suit No. 20 of 2008 within two months from the date of communication of this order and as well as the suit itself, as expeditiously as possible and in any event, within a period of one year from the date of communication of this order, without granting any unnecessary adjournment to either of the parties except only on reasonable ground.

Accordingly, the revisional application **being C.O. 2233 of 2021** is disposed of.

There shall be no order as to costs.

Parties are to 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.**)