

02,DL,Ct.18
04.02.2021
AJ.

C.O. 4338 of 2019

Monira Khatoon
-Vs-
Sk. Abdul Hai

Md. Younush Mondal.
... for the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such service of notice of this application upon the said opposite party is dispensed with.

The petitioner is the plaintiff of the connected eviction suit being Title Suit No. 326 of 2015 pending before the 6th Court of the learned Civil Judge (Junior Division), Alipore, district 24-Parganas (South).

The petitioner complains that he has filed an application for holding local inspection of the suit property on June 14, 2017 to demonstrate that the opposite party has violated the order of injunction passed in the suit, but the said application is still pending due to the dilatory tactics adopted by the defendant. The petitioner prays that an appropriate direction may be passed upon the learned Trial Judge to dispose of

the said application within a specific period of time that may be fixed by this Court.

The Courts are resuming normal functioning during this Covid-19 pandemic period, at this stage, this Court is not inclined to pass any direction directing the Courts below to dispose of any pending *lis* within a specific time.

However, in view of the nature and the age of the application, this Court desires and expects that the learned Trial Judge shall make all endeavour to dispose of the said application expeditiously and in doing so, shall not grant any unnecessary adjournment to either of the parties.

C.O. 4338 of 2019 is disposed of with the above terms.

There shall be no order for costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)