

(129)
09.04.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO No. 1478 of 2020

**Kamal Kumar Roy
-versus-
Shri Subalane Mazumder**

Mr. Pronit Bag,
Mr. Prasanta Kumar Dutt,
... for the petitioner.

Mr. Amitava Ghosh,
Mr. Surajit Dutta,
... for the opposite party.

The plaintiff in a suit for eviction being Title Suit No. 304 of 2017 pending before the learned 2nd Civil Judge (Senior Division), Barasat, District : 24 Parganas (North) is the petitioner of the present revisional application under Article 227 of the Constitution of India.

The petitioner complains delay in disposal of the said suit.

The suit has been fixed for *ex parte* hearing for the failure of the defendant to file the written statement within the prescribed period of limitation.

An application filed by the defendant/opposite party on January 27, 2020 for acceptance of his written statement and an application for vacating the order fixing the suit for *ex parte* hearing are pending.

The petitioner is praying for a direction upon the learned Trial Judge for expeditious disposal of the said suit and the pending applications thereto.

Pendency of an application for acceptance of written statement filed beyond the prescribed period of limitation for one year is not appreciated.

The learned Trial Judge is, therefore, requested to dispose of all pending applications as expeditiously as possible preferably within a period of two weeks from the date already fixed in the suit and after disposal of the said application to make an endeavour to dispose of the said suit expeditiously without granting any unnecessary adjournment to either of the parties.

CO 1478 of 2020 is disposed of with the above direction without any order as to costs.

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

(Biswajit Basu, J.)