

14.09.2022
Item No.1
Ct. No.7
CHC
(disposed of)

C.O.16 of 2022

Gaurab Kumar
Vs.
Sujit Kumar Mitra & anr.

Mr. Arik Banerjee,
Mr. Basabraaj Chakraborty,
Mr. Satyaki Chaudhuri
...for the petitioner

Mr. Animesh Paul
...for the opposite parties

A direction to secure expeditious disposal of a Misc. Appeal No.85 of 2021, pending before the learned Additional District Judge, 3rd Fast Track Court, at Howrah, is the ultimate relief proposed in this case.

No other point is raised requiring address by this Court.

Admittedly, the pending Misc. Appeal is against an order of ad interim injunction granted by the trial court.

It is submitted by the learned advocate for the petitioner that there is an Aadhaar Centre situated in the subject property, and for which, the pending appeal may be directed to be disposed of in an expeditious manner.

Learned advocate appearing for the opposite parties disputes with the submission advanced by the petitioner submitting that such submission is beyond the pleadings taken in the court below.

It is also contended by the learned advocate for the opposite parties that the appeal is getting delayed due to the adjournments being proposed and granted on the prayer of the petitioner/appellant.

In reply, learned advocate for the petitioner denies the same about the adjournment being frequently taken by the petitioner.

Having considered the submission of both sides, it appears that no further elaboration is necessary.

The instant revisional application be disposed of directing the court below to ensure expeditious disposal of Misc. Appeal No.85 of 2021, pending before the learned Additional District Judge, 3rd Fast Track Court, at Howrah, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable, after causing disposal of interlocutory application, if there be any pending, preferably before the end of December, 2022.

With this observation/direction, the revisional application stands disposed of.

Parties are directed to make communication of this order to the learned court below.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)