

09.02.2022
Ct. 21
D/L 16
ab

C.O. 153 of 2022
(Via Video Conference)

Sukhendu Kundu & Ors.
-Vs-
Nemai Patwari & Ors.

Mr. Iftekar Munshi,

... for the petitioners

Mr. Iftekar Munshi, learned advocate appears for the petitioners.

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

The petitioners by filing the present application under Article 227 of the Constitution of India have prayed for expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure as well as the Title suit itself being Title Suit No. 114 of 2018, pending before the learned Civil Judge (Junior Division) at Bidhannagar.

The learned advocate for the petitioners 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 petitioners.

Having regard to the nature of relief claimed by the petitioners, being a prayer for expeditious disposal of the title 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) at Bidhannagar, is requested to dispose of the application under Order 39 rules 1 and 2 of the Code of Civil Procedure, as expeditiously as possible and in any event, within a period of one month from the date of communication of this order, without granting any adjournment whatsoever to any of the parties. Thereafter, the learned Judge in the Court below is further requested to make an endeavour to dispose of the Title Suit No. 114 of 2018, as expeditiously as possible and in any event, within a period of one year, without granting any adjournment whatsoever to any of the parties, but giving regard to the diary maintained by him/her.

Accordingly, the revisional application being **C.O. 153 of 2022** 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.**)