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AKG 07-02-2022
Ct.21

C.O. 206 of 2022
Sri Sukdeb Barman
Versus
Smt.Kakali Barman (Manna)

(VIA VIDEO CONFERENCE)

Mr. Debjit Mukherjee,
Ms. S. Chatterjee,
Mr. Kaustav Bhattacharyya
...for the Petitioner

Mr. Debjit Mukherjee, learned advocate appears for the petitioner.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application under Order 18, Rules 16 (1) of the Code of Civil Procedure along with application under Order 26 Rule1 and Rule 4 of the Code of Civil Procedure for examination on commision of Dr. Bibhuti Bhushan Deb Roy and Dr. Sutapa Deb Roy, who medically treated the petitioner and who are senior citizens aged about 85 and 79 years old.

If the applications are not immediately disposed of then there is every possibility that the petitioner may not be able to examine those doctors due to delay.

Learned advocate appearing for the opposite party submits that till date, no notice and copy of the application have been served on the opposite party. That without copy of the application, it is not possible

on his part to make submission.

Subsequently, he submits that he has no objection if necessary direction is given to the learned Court below to dispose of not only above mentioned applications filed by the opposite party in Matrimonial Suit No. 80 of 2014, but also another Matrimonial Suit No. 581 of 2014 against the opposite party over the same subject matter as both the Matrimonial Suit No. 80 of 2014 and Matrimonial Suit No. 581 of 2014 which are being heard analogously by the learned Additional District Judge, Second Court, Uttar Dinajpur at Raiganj.

Therefore, the learned Court below is hereby directed to dispose of pending applications mentioned above in Mat Suit No.80 of 2014 as early as possible, preferably within a month from and also the main suit which is being heard analogously with another Mat Suit No.581 of 2014 as early as possible, preferably within a year from date of disposal of those pending applications.

Accordingly, revisional application being **C.O. 206 of 2022** is disposed of.

There shall be no order as to costs.

If the regular court is not sitting, the matter should be heard by the Learned Judge who remains in-charge of the Court.

All 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.)