

23.02.2022
Ct. 21
D/L 165
ab

C.O. 323 of 2022
(Via Video Conference)

Bandona Bose & Anr.
-Vs-
Pratap Guha & Ors.

Mr. Tarak Nath Halder,
... for the petitioners

Mr. Tarak Nath Halder, 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 interlocutory applications being filed under Order 39 Rules 1 and 2 of the Code of Civil Procedure, application for addition of party under Order 1 Rule 10 of the Code of Civil Procedure and the application for local inspection in connection with Title Suit No. 149 of 2014 as well as the suit itself, pending before the learned Civil Judge (Junior Division), 1st Court at Alipore, South 24 Parganas.

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 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), 1st Court at Alipore, South 24 Parganas, is requested to dispose of the interlocutory applications being filed under Order 39 Rules 1 and 2 of the Code of Civil Procedure, application for addition of party under Order 1 Rule 10 of the Code of Civil Procedure and the application for local inspection in connection with Title Suit No. 149 of 2014, as expeditiously as possible and in any event, within a period of three months from the date of communication of this order, without granting any adjournment whatsoever to any of the parties.

The learned Court below is further requested, after disposal of the interlocutory applications, to make an endeavour to dispose of the suit being Title Suit No. 149 of 2014, as expeditiously as possible and in any event, within a period of one year thereafter, without granting any adjournment whatsoever to any of the parties.

Accordingly, the revisional application being **C.O. 323 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.**)

