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C.O. 483 of 2022

**Sima Mondal
Vs
Molina @ Malu Mullick & Ors**

Mr. Tarak Nath Halder, ... For the petitioner.

A direction to secure expeditious disposal of the suit along with Misc. Case No. 39 of 2021, under Order 22 Rule 9 of the Code of Civil Procedure, arising out of Ejectment Suit No. 396 of 2005 of learned Civil Judge (Junior Division), Additional Court at Sealdah, is the ultimate prayer in this case.

Mr. Tarak Nath Halder, learned advocate appearing for the petitioner submits that in the pending Misc. case, evidence is going on, and it is expected to be disposed of very shortly. So far as the status of the suit instituted in the year 2005 is concerned, it appears that same is in PH stage, wherein the learned advocate commissioner appointed in this case has not yet submitted his report for the last seven years.

Admittedly, this is a suit for eviction taking grounds of default, reasonable requirement etc.

In view of the nature of the order proposed to be made in this case, and bearing in mind the pendency of the suit, notice upon the opposite parties is considered to be necessary.

Accordingly, service of notice of this application upon opposite parties stands dispensed with.

Accordingly, learned Civil Judge (Junior Division), Additional Court at Sealdah is directed to expeditiously dispose of Misc. Case No. 39 of 2021 under Order 22 Rule 9 of the Code of Civil Procedure expeditiously as possible, and then proceed to dispose of the pending suit, preferably within a period of 18 months from the date of communication of this order, but without granting unnecessary adjournments, unless it is extremely unavoidable.

While endeavouring such exercise, both the parties to this case must be provided with sufficient opportunity of hearing, and interlocutory application, if there be any, must also be disposed of.

This Court reposes trust and confidence of the Court below that the learned Court below would put his sincerest effort to collect the learned Commissioner's report within the best reasonable opportunity of time.

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

(Subhasis Dasgupta, J)