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C.O. 612 of 2022

**Smt Santwana Ghosh
Vs
Sri Parimal Kumar Ghosh & Ors**

Mr. Amit Baran Dash,
... For the petitioner.

A direction to secure expeditious disposal of Title Suit No. 1330 of 2007 pending before the learned Civil Judge (Junior Division), 2nd Court, Alipore, is the ultimate relief sought for in this case.

Admittedly, this is a suit for partition, wherein declaration of share of the parties has already been made granting a preliminary decree.

The learned Commissioner after being appointed, has submitted his report. The formalities necessary to be observed, according to the learned advocate for the petitioner, have already been complied with for drawing up the final decree.

It is contended by the learned advocate for the petitioner that for the last three years, the final decree has not yet been drawn up causing serious prejudice to the parties.

In view of the nature of the order proposed to be made in the case, no prior notice is considered to be necessary.

Service upon the opposite parties is thus dispensed with.

Accordingly, Civil Judge (Junior Division), 2nd Court, Alipore in Title Suit No. 1330 of 2007 is requested to ensure expeditious drawal up of final decree of partition suit, referred hereinabove, observing the formalities under the law, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, the year of institution of the Partition Suit may be taken into account, and the date of submission of the learned Commissioner's report incidentally be looked into by the court below and then proceeded with the disposal of the Partition Suit drawing up final decree, in the manner, as situation of the case, would demand, so as to dispense with the justice in a best possible and expeditious manner.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite parties and the opposite parties.

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

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)