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C.O. 650 of 2022
Purabi Chatterjee & Ors.
Vs
Bharati Chatterjee & Ors

Mrs. Arundhati Banerjee,
Mr. Kaustav Banerjee ... For the petitioners.

A direction to secure expeditious disposal of a pending suit, instituted in the year 2014 is the ultimate relief sought for in this case.

Admittedly the case is appearing at the stage of serving summons upon the defendants. It is submitted by the learned for the petitioner that after the demise of defendant No.1, all the legal heirs and representatives, left by defendant No.1, have been duly substituted, and out of the substituted defendants, two daughters of defendant No.1 have already been served with, while service against another daughter of defendant No.1 is still awaiting (1ga). It is contended that due to surge of Covid-19, service upon the non appearing defendant, like 1ga, could not be made.

It is further submitted that service as against rest of the defendants has already been made, and order has already been there, to proceed against them ex parte, except the State defendant.

In view of the nature of the order proposed to be made in this case, service upon the opposite parties

is considered to be not necessary.

The service upon the opposite parties is thus dispensed with, so far as the present revisional application is concerned.

Accordingly learned Civil Judge (Junior Division) 1st Court, Rampurhat in Title Suit No. 339 of 2014 is requested to ensure expeditious completion of service of summons, upon the non appearing defendants in accordance with the provisions of law, as contained in the Code of Civil Procedure.

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

Petitioners are 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 opposite parties.

Trial Court will, however, not be prevented from ensuring expeditious disposal of the pending suit observing the formalities, necessary therefor, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

(Subhasis Dasgupta, J)