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C.O. 700 of 2022

Dr. Tapan Kumar Saha.
Vs
Dr. Binay Bhushan Nath

Mr. Ramashis Mokherjee,
Mr. Rameshwar Sinha ... For the petitioner.

A direction to secure expeditious collection of report of learned Investigation Commission, allowed in February, 2015, is the ultimate relief sought for in this case.

The petitioner is the defendant in TS 20 of 2013 now pending before the learned Civil Judge (Junior Division), 4th Court, Serampore.

Admittedly on the prayer of the opposite party/plaintiff, the prayer for local Investigation Commission was allowed on 18th February, 2015. Since then, the case is getting delayed for submission of learned Commissioner's report.

In view of the nature of the order proposed to be made in this case, service upon the opposite party is considered to be not necessary.

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

Accordingly learned Civil Judge (Junior Division)

4th Court, Serampore in Title Suit No.20 of 2013 is requested to ensure expeditious collection of learned Investigation Commissioner's report, putting sincerest effort for the purpose, and after submission of the report, steps may be taken towards the acceptance of the report, after adhering to the provisions available under Order 26 Rule 10(2) of the Code of Civil Procedure, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

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

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 party and opposite party.

(Subhasis Dasgupta, J)