

07.04.2022
Item No.41
Ct. No.7
CHC
(disposed of)

**C.O.707 of 2022
(Physical Hearing)**

**Tapas Ghosh
Vs.
Md. Atiar Rahman & anr.**

Mr. Narayan Chandra Mondal,
Ms. Mousumi Chatterjee,
Ms. Anushika Bharati
...for the petitioner

A direction to secure expeditious disposal of a Title Suit instituted in the year 2018, is the ultimate relief sought for in this case.

Admittedly, this is a suit for partition, wherein learned Advocate Commissioner has been appointed under Section 39 Rule 7 C.P.C. to hold local inspection commission.

Mr. Narayan Chandra Mondal, learned advocate appearing for the petitioner/defendant no.1 submits that issues have not been framed as yet by the court below.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be necessary. Service upon the opposite parties is thus dispensed with.

Accordingly, learned Civil Judge (Senior Division), Basirhat, in Title Suit No.251 of 2018, is requested to

frame issues in this case after causing disposal of interlocutory applications, if there be any pending.

While endeavouring such exercise, learned court below may proceed with the disposal of the interlocutory applications, if there be any pending, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

With this direction/observation 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 opposite parties and their learned advocate appearing in the court below for the opposite parties.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)