

11.04.2022
Item No.35
Ct. No.7
CHC
(disposed of)

**C.O.771 of 2022
(Physical Hearing)**

**Sri Subhasindu Das & ors.
Vs.
Sri Nirmal Chandra Sakar & ors.**

Mr. Debdut Mukherjee,
Mr. Uttam Kumar Bhattacharya
...for the petitioners

A direction to secure expeditious disposal of an application dated 3rd February, 2022, praying for removal of Special Officer, is the ultimate relief sought for in this case.

Mr. Mukherjee, learned advocate appearing for the petitioners submits that on a conjoint application of the parties to the suit, there was an appointment of Special Officer by the court. There has been change of first Special Officer already, and the second Special Officer appointed after a change, according to learned advocate for the petitioners, has discharged his obligation, not in accordance with the directions passed by this Court, while appointing Special Officer in this case.

An application was then taken out by the petitioners on 3rd February, 2022, which by the order impugned has been directed to be kept with the record.

The only contention expressed by the learned advocate for the petitioners is that the learned court below has not taken any tangible steps towards logical conclusion of the interlocutory petition filed by the petitioners on 3rd February, 2022, for removal of the Special Officer.

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

Accordingly, learned Additional District Judge, 13th Court, Alipore, in Title Suit No.105 of 2012, is directed to ensure expeditious disposal of pending interlocutory application dated 3rd February, 2022, filed by the petitioners praying for removal of the Special Officer, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, it is believed that the learned court below would appreciate the object of the founder of the trust, and may proceed with the disposal of the pending application in the manner, as situation of the case would demand, so as to dispense with the justice in a best possible manner.

Petitioners are directed to make communication of this order to the learned court below as well as the

opposite parties and their learned advocate appearing in the court below.

With this observation/directions, the revisional application stands disposed of.

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.)